



House of Representatives

General Assembly

File No. 365

February Session, 2014

Substitute House Bill No. 5115

House of Representatives, April 7, 2014

The Committee on Energy and Technology reported through REP. REED of the 102nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO
AND REPEAL OF OBSOLETE PROVISIONS OF ENERGY AND
TECHNOLOGY STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 16-1 of the 2014 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) Terms used in this title and in chapters 244, 244a, 244b, 245, 245a
5 and 245b shall be construed as follows, unless another meaning is
6 expressed or is clearly apparent from the language or context:

7 (1) "Authority" means the Public Utilities Regulatory Authority and
8 "department" means the Department of Energy and Environmental
9 Protection;

10 (2) "Utility commissioner" means a member of the Public Utilities
11 Regulatory Authority;

12 [(3) "Commissioner of Transportation" means the Commissioner of
13 Transportation appointed under section 13b-3;]

14 [(4)] (3) "Public service company" includes [electric,] electric
15 distribution, gas, telephone, [telegraph,] pipeline, sewage, water and
16 community antenna television companies and holders of a certificate
17 of cable franchise authority, owning, leasing, maintaining, operating,
18 managing or controlling plants or parts of plants or equipment, [and
19 all express companies having special privileges on railroads within this
20 state,] but shall not include [telegraph company functions concerning
21 intrastate money order service,] towns, cities, boroughs, any municipal
22 corporation or department thereof, whether separately incorporated or
23 not, a private power producer, as defined in section 16-243b, or an
24 exempt wholesale generator, as defined in 15 USC 79z-5a;

25 [(5)] (4) "Plant" includes all real estate, buildings, tracks, pipes,
26 mains, poles, wires and other fixed or stationary construction and
27 equipment, wherever located, used in the conduct of the business of
28 the company;

29 [(6) "Railroad company" includes every person owning, leasing,
30 maintaining, operating, managing or controlling any railroad, or any
31 cars or other equipment employed thereon or in connection therewith,
32 for public or general use within this state;

33 (7) "Street railway company" includes every person owning, leasing,
34 maintaining, operating, managing or controlling any street railway, or
35 any cars or other equipment employed thereon or in connection
36 therewith, for public or general use within this state;

37 (8) "Electric company" includes, until an electric company has been
38 unbundled in accordance with the provisions of section 16-244e, every
39 person owning, leasing, maintaining, operating, managing or
40 controlling poles, wires, conduits or other fixtures, along public
41 highways or streets, for the transmission or distribution of electric
42 current for sale for light, heat or power within this state, or engaged in
43 generating electricity to be so transmitted or distributed for such

44 purpose, but shall not include (A) a private power producer, as
45 defined in section 16-243b, (B) an exempt wholesale generator, as
46 defined in 15 USC 79z-5a, (C) a municipal electric utility established
47 under chapter 101, (D) a municipal electric energy cooperative
48 established under chapter 101a, (E) an electric cooperative established
49 under chapter 597, (F) any other electric utility owned, leased,
50 maintained, operated, managed or controlled by any unit of local
51 government under any general statute or any public or special act, (G)
52 an entity approved to submeter pursuant to section 16-19ff, or (H) a
53 municipality, state or federal governmental entity authorized to
54 distribute electricity across a public highway or street pursuant to
55 section 16-243aa;]

56 [(9)] (5) "Gas company" includes every person owning, leasing,
57 maintaining, operating, managing or controlling mains, pipes or other
58 fixtures, in public highways or streets, for the transmission or
59 distribution of gas for sale for heat or power within this state, or
60 engaged in the manufacture of gas to be so transmitted or distributed
61 for such purpose, but shall not include (A) a person manufacturing gas
62 through the use of a biomass gasification plant provided such person
63 does not own, lease, maintain, operate, manage or control mains, pipes
64 or other fixtures in public highways or streets, (B) a municipal gas
65 utility established under chapter 101 or any other gas utility owned,
66 leased, maintained, operated, managed or controlled by any unit of
67 local government under any general statute or any public or special
68 act, or (C) an entity approved to submeter pursuant to section 16-19ff,
69 as amended by this act;

70 [(10)] (6) "Water company" includes every person owning, leasing,
71 maintaining, operating, managing or controlling any pond, lake,
72 reservoir, stream, well or distributing plant or system employed for
73 the purpose of supplying water to fifty or more consumers. A water
74 company does not include homeowners, condominium associations
75 providing water only to their members, homeowners associations
76 providing water to customers at least eighty per cent of whom are
77 members of such associations, a municipal waterworks system

78 established under chapter 102, a district, metropolitan district,
79 municipal district or special services district established under chapter
80 105, chapter 105a or any other general statute or any public or special
81 act which is authorized to supply water, or any other waterworks
82 system owned, leased, maintained, operated, managed or controlled
83 by any unit of local government under any general statute or any
84 public or special act;

85 [(11)] (7) "Consumer" means any private dwelling, boardinghouse,
86 apartment, store, office building, institution, mechanical or
87 manufacturing establishment or other place of business or industry to
88 which water is supplied by a water company;

89 [(12)] (8) "Sewage company" includes every person owning, leasing,
90 maintaining, operating, managing or controlling, for general use in any
91 town, city or borough, or portion thereof, in this state, sewage disposal
92 facilities which discharge treated effluent into any waterway of this
93 state;

94 [(13)] (9) "Pipeline company" includes every person owning, leasing,
95 maintaining, operating, managing or controlling mains, pipes or other
96 fixtures through, over, across or under any public land, water,
97 parkways, highways, parks or public grounds for the transportation,
98 transmission or distribution of petroleum products for hire within this
99 state;

100 [(14)] (10) "Community antenna television company" includes every
101 person owning, leasing, maintaining, operating, managing or
102 controlling a community antenna television system, in, under or over
103 any public street or highway, for the purpose of providing community
104 antenna television service for hire and shall include any municipality
105 which owns or operates one or more plants for the manufacture or
106 distribution of electricity pursuant to section 7-213 or any special act
107 and seeks to obtain or obtains a certificate of public convenience and
108 necessity to construct or operate a community antenna television
109 system pursuant to section 16-331 or a certificate of cable franchise
110 authority pursuant to section 16-331q. "Community antenna television

111 company" does not include a certified competitive video service
112 provider;

113 [(15)] (11) "Community antenna television service" means (A) the
114 one-way transmission to subscribers of video programming or
115 information that a community antenna television company makes
116 available to all subscribers generally, and subscriber interaction, if any,
117 which is required for the selection of such video programming or
118 information, and (B) noncable communications service. "Community
119 antenna television service" does not include video service provided by
120 a certified competitive video service provider;

121 [(16)] (12) "Community antenna television system" means a facility,
122 consisting of a set of closed transmission paths and associated signal
123 generation, reception and control equipment that is designed to
124 provide community antenna television service which includes video
125 programming and which is provided in, under or over any public
126 street or highway, for hire, to multiple subscribers within a franchise,
127 but such term does not include (A) a facility that serves only to
128 retransmit the television signals of one or more television broadcast
129 stations; (B) a facility that serves only subscribers in one or more
130 multiple unit dwellings under common ownership, control or
131 management, unless such facility is located in, under or over a public
132 street or highway; (C) a facility of a common carrier which is subject, in
133 whole or in part, to the provisions of Subchapter II of Chapter 5 of the
134 Communications Act of 1934, 47 USC 201 et seq., as amended, except
135 that such facility shall be considered a community antenna television
136 system and the carrier shall be considered a public service company to
137 the extent such facility is used in the transmission of video
138 programming directly to subscribers; or (D) a facility of an electric
139 distribution company which is used solely for operating its electric
140 distribution company systems. "Community antenna television
141 system" does not include a facility used by a certified competitive
142 video service provider to provide video service;

143 [(17)] (13) "Video programming" means programming provided by,

144 or generally considered comparable to programming provided by, a
145 television broadcast station;

146 [(18)] (14) "Noncable communications service" means any
147 telecommunications service, as defined in section 16-247a, and which is
148 not included in the definition of "cable service" in the Communications
149 Act of 1934, 47 USC 522, as amended. Nothing in this definition shall
150 be construed to affect service which is both authorized and preempted
151 pursuant to federal law;

152 [(19)] "Public service motor vehicle" includes all motor vehicles used
153 for the transportation of passengers for hire;

154 (20) "Motor bus" includes any public service motor vehicle operated
155 in whole or in part upon any street or highway, by indiscriminately
156 receiving or discharging passengers, or operated on a regular route or
157 over any portion thereof, or operated between fixed termini, and any
158 public service motor vehicle operated over highways within this state
159 between points outside this state or between points within this state
160 and points outside this state;]

161 [(21)] (15) "Cogeneration technology" means the use for the
162 generation of electricity of exhaust steam, waste steam, heat or
163 resultant energy from an industrial, commercial or manufacturing
164 plant or process, or the use of exhaust steam, waste steam or heat from
165 a thermal power plant for an industrial, commercial or manufacturing
166 plant or process, but shall not include steam or heat developed solely
167 for electrical power generation;

168 [(22)] (16) "Renewable fuel resources" means energy sources
169 described in subdivisions [(26)] (20) and [(27)] (21) of this subsection;

170 [(23)] (17) "Telephone company" means a telecommunications
171 company that provides one or more noncompetitive or emerging
172 competitive services, as defined in section 16-247a;

173 [(24)] (18) "Domestic telephone company" includes any telephone
174 company which has been chartered by or organized or constituted

175 within or under the laws of this state;

176 [(25)] (19) "Telecommunications company" means a person that
177 provides telecommunications service, as defined in section 16-247a,
178 within the state, but shall not mean a person that provides only (A)
179 private telecommunications service, as defined in section 16-247a, (B)
180 the one-way transmission of video programming or other
181 programming services to subscribers, (C) subscriber interaction, if any,
182 which is required for the selection of such video programming or other
183 programming services, (D) the two-way transmission of educational or
184 instructional programming to a public or private elementary or
185 secondary school, or a public or independent institution of higher
186 education, as required by the authority pursuant to a community
187 antenna television company franchise agreement, or provided
188 pursuant to a contract with such a school or institution which contract
189 has been filed with the authority, or (E) a combination of the services
190 set forth in subparagraphs (B) to (D), inclusive, of this subdivision;

191 [(26)] (20) "Class I renewable energy source" means (A) electricity
192 derived from (i) solar power, (ii) wind power, (iii) a fuel cell, (iv)
193 geothermal, (v) landfill methane gas, anaerobic digestion or other
194 biogas derived from biological sources, (vi) thermal electric direct
195 energy conversion from a certified Class I renewable energy source,
196 (vii) ocean thermal power, (viii) wave or tidal power, (ix) low emission
197 advanced renewable energy conversion technologies, (x) a run-of-the-
198 river hydropower facility that began operation after July 1, 2003, and
199 has a generating capacity of not more than thirty megawatts, provided
200 a facility that applies for certification under this clause after January 1,
201 2013, shall not be based on a new dam or a dam identified by the
202 commissioner as a candidate for removal, and shall meet applicable
203 state and federal requirements, including applicable site-specific
204 standards for water quality and fish passage, or (xi) a biomass facility
205 that uses sustainable biomass fuel and has an average emission rate of
206 equal to or less than .075 pounds of nitrogen oxides per million BTU of
207 heat input for the previous calendar quarter, except that energy
208 derived from a biomass facility with a capacity of less than five

209 hundred kilowatts that began construction before July 1, 2003, may be
210 considered a Class I renewable energy source, or (B) any electrical
211 generation, including distributed generation, generated from a Class I
212 renewable energy source, provided, on and after January 1, 2014, any
213 megawatt hours of electricity from a renewable energy source
214 described under this subparagraph that are claimed or counted by a
215 load-serving entity, province or state toward compliance with
216 renewable portfolio standards or renewable energy policy goals in
217 another province or state, other than the state of Connecticut, shall not
218 be eligible for compliance with the renewable portfolio standards
219 established pursuant to section 16-245a, as amended by this act;

220 [(27)] (21) "Class II renewable energy source" means energy derived
221 from a trash-to-energy facility, a biomass facility that began operation
222 before July 1, 1998, provided the average emission rate for such facility
223 is equal to or less than .2 pounds of nitrogen oxides per million BTU of
224 heat input for the previous calendar quarter, or a run-of-the-river
225 hydropower facility provided such facility has a generating capacity of
226 not more than five megawatts, does not cause an appreciable change in
227 the riverflow, and began operation prior to July 1, 2003;

228 [(28)] (22) "Electric distribution services" means the owning, leasing,
229 maintaining, operating, managing or controlling of poles, wires,
230 conduits or other fixtures along public highways or streets for the
231 distribution of electricity, or electric distribution-related services;

232 [(29)] (23) "Electric distribution company" or "distribution company"
233 means any person providing electric transmission or distribution
234 services within the state, [including an electric company, subject to
235 subparagraph (F) of this subdivision,] but does not include: (A) A
236 private power producer, as defined in section 16-243b; (B) a municipal
237 electric utility established under chapter 101, other than a participating
238 municipal electric utility; (C) a municipal electric energy cooperative
239 established under chapter 101a; (D) an electric cooperative established
240 under chapter 597; (E) any other electric utility owned, leased,
241 maintained, operated, managed or controlled by any unit of local

242 government under any general statute or special act; (F) [after an
243 electric company has been unbundled in accordance with the
244 provisions of section 16-244e, a generation entity or affiliate of the
245 former electric company; or (G)] an electric supplier; (G) an entity
246 approved to submeter pursuant to section 16-19ff, as amended by this
247 act; or (H) a municipality, state or federal governmental entity
248 authorized to distribute electricity across a public highway or street
249 pursuant to section 16-243aa, as amended by this act;

250 [(30)] (24) "Electric supplier" means any person, including an electric
251 aggregator or participating municipal electric utility that is licensed by
252 the Public Utilities Regulatory Authority in accordance with section
253 16-245, that provides electric generation services to end use customers
254 in the state using the transmission or distribution facilities of an
255 electric distribution company, regardless of whether or not such
256 person takes title to such generation services, but does not include: (A)
257 A municipal electric utility established under chapter 101, other than a
258 participating municipal electric utility; (B) a municipal electric energy
259 cooperative established under chapter 101a; (C) an electric cooperative
260 established under chapter 597; or (D) any other electric utility owned,
261 leased, maintained, operated, managed or controlled by any unit of
262 local government under any general statute or special act;

263 [(31)] (25) "Electric aggregator" means (A) a person, municipality or
264 regional water authority that gathers together electric customers for
265 the purpose of negotiating the purchase of electric generation services
266 from an electric supplier, or (B) the Connecticut Resources Recovery
267 Authority, if it gathers together electric customers for the purpose of
268 negotiating the purchase of electric generation services from an electric
269 supplier, provided such person, municipality or authority is not
270 engaged in the purchase or resale of electric generation services, and
271 provided further such customers contract for electric generation
272 services directly with an electric supplier, and may include an electric
273 cooperative established pursuant to chapter 597;

274 [(32)] (26) "Electric generation services" means electric energy,

275 electric capacity or generation-related services;

276 [(33)] (27) "Electric transmission services" means electric
277 transmission or transmission-related services;

278 [(34)] (28) "Generation entity or affiliate" means a corporate affiliate
279 or [, as provided in subdivision (3) of subsection (a) of section 16-244e,]
280 a separate division of an electric distribution company [after
281 unbundling has occurred pursuant to section 16-244e,] that provides
282 electric generation services;

283 [(35)] (29) "Participating municipal electric utility" means a
284 municipal electric utility established under chapter 101 or any other
285 electric utility owned, leased, maintained, operated, managed or
286 controlled by any unit of local government under any general statute
287 or any public or special act, that is authorized by the authority in
288 accordance with section 16-245c to provide electric generation services
289 to end use customers outside its service area, as defined in section
290 16-245c;

291 [(36)] (30) "Person" means an individual, business, firm, corporation,
292 association, joint stock association, trust, partnership or limited
293 liability company;

294 [(37)] (31) "Regional independent system operator" means the "ISO -
295 New England, Inc.", or its successor organization as approved by the
296 Federal Energy Regulatory Commission;

297 [(38)] (32) "Certified telecommunications provider" means a person
298 certified by the authority to provide intrastate telecommunications
299 services, as defined in section 16-247a, pursuant to sections 16-247f to
300 16-247h, inclusive;

301 [(39)] (33) "Gas registrant" means a person registered to sell natural
302 gas pursuant to section 16-258a;

303 [(40)] (34) "Customer-side distributed resources" means (A) the
304 generation of electricity from a unit with a rating of not more than

305 sixty-five megawatts on the premises of a retail end user within the
306 transmission and distribution system including, but not limited to, fuel
307 cells, photovoltaic systems or small wind turbines, or (B) a reduction in
308 the demand for electricity on the premises of a retail end user in the
309 distribution system through methods of conservation and load
310 management, including, but not limited to, peak reduction systems
311 and demand response systems;

312 [(41)] (35) "Federally mandated congestion charges" means any cost
313 approved by the Federal Energy Regulatory Commission as part of
314 New England Standard Market Design including, but not limited to,
315 locational marginal pricing, locational installed capacity payments, any
316 cost approved by the Public Utilities Regulatory Authority to reduce
317 federally mandated congestion charges in accordance with section 7-
318 233y, this section, sections 16-32f, 16-50i, as amended by this act, 16-
319 50k, 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by this
320 act, [16-244e,] 16-245m, as amended by this act, 16-245n, as amended
321 by this act, and 16-245z, and section 21 of public act 05-1 of the June
322 special session and reliability must run contracts;

323 [(42)] (36) "Combined heat and power system" means a system that
324 produces, from a single source, both electric power and thermal energy
325 used in any process that results in an aggregate reduction in electricity
326 use;

327 [(43)] (37) "Grid-side distributed resources" means the generation of
328 electricity from a unit with a rating of not more than sixty-five
329 megawatts that is connected to the transmission or distribution system,
330 which units may include, but are not limited to, units used primarily to
331 generate electricity to meet peak demand;

332 [(44)] (38) "Class III source" means the electricity output from
333 combined heat and power systems with an operating efficiency level of
334 no less than fifty per cent that are part of customer-side distributed
335 resources developed at commercial and industrial facilities in this state
336 on or after January 1, 2006, a waste heat recovery system installed on
337 or after April 1, 2007, that produces electrical or thermal energy by

338 capturing preexisting waste heat or pressure from industrial or
339 commercial processes, or the electricity savings created in this state
340 from conservation and load management programs begun on or after
341 January 1, 2006, provided on and after January 1, 2014, no such
342 programs supported by ratepayers, including programs overseen by
343 the Energy Conservation Management Board or third-party programs
344 pursuant to section 16-245m, as amended by this act, shall be
345 considered a Class III source, except that any demand-side
346 management project awarded a contract pursuant to section 16-243m,
347 as amended by this act, shall remain eligible as a Class III source for
348 the term of such contract;

349 [(45)] (39) "Sustainable biomass fuel" means biomass that is
350 cultivated and harvested in a sustainable manner. "Sustainable
351 biomass fuel" does not mean construction and demolition waste, as
352 defined in section 22a-208x, finished biomass products from sawmills,
353 paper mills or stud mills, organic refuse fuel derived separately from
354 municipal solid waste, or biomass from old growth timber stands,
355 except where (A) such biomass is used in a biomass gasification plant
356 that received funding prior to May 1, 2006, from the Clean Energy
357 Fund established pursuant to section 16-245n, as amended by this act,
358 or (B) the energy derived from such biomass is subject to a long-term
359 power purchase contract pursuant to subdivision (2) of subsection (j)
360 of section 16-244c entered into prior to May 1, 2006;

361 [(46)] (40) "Video service" means video programming services
362 provided through wireline facilities, a portion of which are located in
363 the public right-of-way, without regard to delivery technology,
364 including Internet protocol technology. "Video service" does not
365 include any video programming provided by a commercial mobile
366 service provider, as defined in 47 USC 332(d), any video programming
367 provided as part of community antenna television service in a
368 franchise area as of October 1, 2007, any video programming provided
369 as part of and via a service that enables users to access content,
370 information, electronic mail or other services over the public Internet;

371 [(47)] (41) "Certified competitive video service provider" means an
372 entity providing video service pursuant to a certificate of video
373 franchise authority issued by the authority in accordance with section
374 16-331e. "Certified competitive video service provider" does not mean
375 an entity issued a certificate of public convenience and necessity in
376 accordance with section 16-331 or the affiliates, successors and assigns
377 of such entity or an entity issued a certificate of cable franchise
378 authority in accordance with section 16-331p or the affiliates,
379 successors and assignees of such entity;

380 [(48)] (42) "Certificate of video franchise authority" means an
381 authorization issued by the Public Utilities Regulatory Authority
382 conferring the right to an entity or person to own, lease, maintain,
383 operate, manage or control facilities in, under or over any public
384 highway to offer video service to any subscribers in the state;

385 [(49)] (43) "Certificate of cable franchise authority" means an
386 authorization issued by the Public Utilities Regulatory Authority
387 pursuant to section 16-331q conferring the right to a community
388 antenna television company to own, lease, maintain, operate, manage
389 or control a community antenna television system in, under or over
390 any public highway to (A) offer community antenna television service
391 in a community antenna television company's designated franchise
392 area, or (B) use the public rights-of-way to offer video service in a
393 designated franchise area. The certificate of cable franchise authority
394 shall be issued as an alternative to a certificate of public convenience
395 and necessity pursuant to section 16-331 and shall only be available to
396 a community antenna television company under the terms specified in
397 sections 16-331q to 16-331aa, inclusive;

398 [(50)] (44) "Thermal energy transportation company" means any
399 person authorized under any provision of the general statutes or
400 special act to furnish heat or air conditioning or both, by means of
401 steam, heated or chilled water or other medium, to lay and maintain
402 mains, pipes or other conduits, and to erect such other fixtures
403 necessary or convenient in and on the streets, highways and public

404 grounds of any municipality to carry steam, heated or chilled water or
405 other medium from such plant to the location to be served and to
406 return the same;

407 [(51)] (45) "The Connecticut Television Network" means the General
408 Assembly's state-wide twenty-four-hour state public affairs
409 programming service, separate and distinct from community access
410 channels;

411 [(52)] (46) "Commissioner of Energy and Environmental Protection"
412 means the Commissioner of Energy and Environmental Protection
413 appointed pursuant to title 4, or the commissioner's designee; and

414 [(53)] (47) "Large-scale hydropower" means any hydropower facility
415 that (A) began operation on or after January 1, 2003, (B) is located in
416 the New England Power Pool Generation Information System
417 geographic eligibility area in accordance with Rule 2.3 of said system
418 or an area abutting the northern boundary of the New England Power
419 Pool Generation Information System geographic eligibility area that is
420 not interconnected with any other control area that is not a part of the
421 New England Power Pool Generation Information System geographic
422 eligibility area, (C) delivers power into such geographic eligibility area,
423 and (D) has a generating capacity of more than thirty megawatts.

424 Sec. 2. (NEW) (*Effective from passage*) Terms used in chapter 244,
425 sections 16-216 to 16-227, inclusive, of the general statutes and chapters
426 244a, 244b, 245, 245a and 245b of the general statutes shall be
427 construed as follows, unless another meaning is expressed or is clearly
428 apparent from the language or context:

429 (1) "Railroad company" includes every person owning, leasing,
430 maintaining, operating, managing or controlling any railroad, or any
431 cars or other equipment employed thereon or in connection therewith,
432 for public or general use within this state;

433 (2) "Street railway company" includes every person owning, leasing,
434 maintaining, operating, managing or controlling any street railway, or

435 any cars or other equipment employed thereon or in connection
436 therewith, for public or general use within this state;

437 (3) "Public service motor vehicle" includes all motor vehicles used
438 for the transportation of passengers for hire; and

439 (4) "Motor bus" includes any public service motor vehicle operated
440 in whole or in part upon any street or highway, by indiscriminately
441 receiving or discharging passengers, or operated on a regular route or
442 over any portion thereof, or operated between fixed termini, and any
443 public service motor vehicle operated over highways within this state
444 between points outside this state or between points within this state
445 and points outside this state.

446 Sec. 3. Subsection (a) of section 16-10a of the general statutes is
447 repealed and the following is substituted in lieu thereof (*Effective from*
448 *passage*):

449 (a) Whenever any person, firm or corporation, incorporated under
450 the general statutes or any special act, is granted a franchise to operate
451 as a public service company, as defined in section 16-1, as amended by
452 this act, and fails to provide service which is adequate to serve the
453 public convenience and necessity of any town, city, borough, district or
454 other political subdivision of the state, or any portion thereof, for a
455 period of five years from the date of such franchise or from January 1,
456 1961, whichever is later, the Public Utilities Regulatory Authority, on
457 its own initiative, or upon complaint of any such town, city, borough,
458 district or other political subdivision, or on petition of not less than
459 five per cent of the affected persons, but in no event more than one
460 thousand persons, in any such town, city, borough, district or other
461 political subdivision, shall fix a time and place for a hearing to be held
462 thereon. The authority shall give notice thereof to all parties in interest
463 and shall make such further investigation into the alleged failure to
464 provide such service as it deems necessary. If upon such hearing, said
465 authority finds that the holder of such franchise has failed to provide
466 such service and that there is an immediate need for such service, it
467 may revoke such franchise as to any such town, city, borough, district

468 or political subdivision, or any portion thereof, or make such other
469 order as may be necessary to provide such service. Whenever any
470 person, firm or corporation, incorporated under the general statutes or
471 any special act, is granted a franchise to operate as a railroad company,
472 as defined in [section 16-1] section 2 of this act, and fails to provide
473 adequate service, or has discontinued the service, on any segment of its
474 lines for which such franchise is granted for a period of five years or
475 more, the franchise for such segment of line shall cease to exist and
476 shall be revoked by the authority for such failure to operate such
477 service or discontinuance of service for a period of five years or more.

478 Sec. 4. Section 16-252 of the general statutes is repealed and the
479 following is substituted in lieu thereof (*Effective from passage*):

480 All such bonds may be secured by a mortgage of the property, real,
481 personal or mixed, of the mortgagor, executed by its president, under
482 its corporate seal, to the Treasurer of the state, and his successors in
483 office, in trust, for the holders of such bonds, and recorded in the office
484 of the Secretary of the State, and such mortgage shall secure equally all
485 such bonds as may be issued from time to time to the full amount
486 specified in the mortgage, and may include not only the property then
487 owned by the mortgagor but also property to be thereafter acquired by
488 it. In such mortgage deed, it shall be sufficient to describe the lines,
489 wires, poles, conduits, equipment and apparatus of the telephone
490 company, in general terms and by general reference to locality. The
491 provisions of sections 16-218 to 16-227, inclusive, concerning the
492 foreclosure of mortgages of railroad companies, as defined in section 2
493 of this act, shall apply to any mortgages or bonds issued by telephone
494 companies, associations or corporations.

495 Sec. 5. Section 16-265 of the general statutes is repealed and the
496 following is substituted in lieu thereof (*Effective from passage*):

497 No lands or rights-of-way or easements therein shall be taken by
498 eminent domain under the provisions of sections 16-263 to 16-269,
499 inclusive, in any public street or highway, public park or reservation or
500 other public property, or within the location of any railroad company,

501 as defined in section 2 of this act, or other public utility company;
502 provided such pipeline or pipelines may be constructed under or
503 through any public highway or street, public park or reservation or
504 other public property if the method of such construction and the plans
505 and specifications therefor have been approved by the authority
506 having jurisdiction over the maintenance of such public highway or
507 street, public park or reservation or other public property; and
508 provided such pipeline or pipelines may be constructed over or across
509 the location of any railroad company, as defined in section 2 of this act,
510 or other public utility company by agreement with such railroad
511 company or other public utility company or, in the event of failure so
512 to agree, then with the approval of and in such manner as may be
513 determined by the Public Utilities Regulatory Authority.

514 Sec. 6. Section 52-557o of the general statutes is repealed and the
515 following is substituted in lieu thereof (*Effective from passage*):

516 No action for trespass shall lie against any surveyor licensed under
517 chapter 391 or person acting at the direction of any such licensed
518 surveyor who enters upon land other than the land being surveyed
519 without causing any damage to such other land in order to perform a
520 survey, provided no such surveyor or person acting at the direction of
521 such surveyor shall enter upon any land owned by a railroad
522 company, as defined in section [16-1] 2 of this act, which is within fifty
523 feet of a railroad track without first obtaining written permission from
524 the railroad company, which written permission shall not be
525 unreasonably withheld. Nothing herein shall relieve such licensed
526 surveyor or person from liability for actual damages caused by such
527 entry upon such other property.

528 Sec. 7. Section 16-19dd of the general statutes is repealed and the
529 following is substituted in lieu thereof (*Effective from passage*):

530 [(a) The Public Utilities Regulatory Authority shall not approve any
531 electric public service company's application, under section 16-19, for a
532 change in the electric rate of any agricultural customer from a
533 residential rate schedule to a commercial rate schedule nor shall the

534 authority on its own initiative, under section 16-19a, authorize such
535 change for three years from May 2, 1988. Each electric public service
536 company, in the case of any such customer which it has transferred
537 from a residential rate to a commercial rate since 1980 or which it
538 transferred in violation of any authority order, shall provide such
539 customer with the option to reconvert to the customer's former rate
540 classification.]

541 [(b)] All electric public service companies shall implement
542 conservation and load management programs for agricultural
543 customers.

544 Sec. 8. Subsection (h) of section 16-50j of the 2014 supplement to the
545 general statutes is repealed and the following is substituted in lieu
546 thereof (*Effective from passage*):

547 (h) Prior to commencing any hearing pursuant to section 16-50m,
548 the council shall consult with and solicit written comments from (1) the
549 Department of Energy and Environmental Protection, the Department
550 of Public Health, the Council on Environmental Quality, the
551 Department of Agriculture, the Public Utilities Regulatory Authority,
552 the Office of Policy and Management, the Department of Economic
553 and Community Development and the Department of Transportation,
554 and (2) in a hearing pursuant to section 16-50m, for a facility described
555 in subdivision (3) of subsection (a) of section 16-50i, the Department of
556 Emergency Services and Public Protection, the Department of
557 Consumer Protection, the Department of Administrative Services and
558 the Labor Department. [In addition, the Department of Energy and
559 Environmental Protection shall have the continuing responsibility to
560 investigate and report to the council on all applications which prior to
561 October 1, 1973, were within the jurisdiction of the Department of
562 Environmental Protection with respect to the granting of a permit.]
563 Copies of such comments shall be made available to all parties prior to
564 the commencement of the hearing. Subsequent to the commencement
565 of the hearing, said departments and council may file additional
566 written comments with the council within such period of time as the

567 council designates. All such written comments shall be made part of
568 the record provided by section 16-50o. Said departments and council
569 shall not enter any contract or agreement with any party to the
570 proceedings or hearings described in this section or section 16-50p that
571 requires said departments or council to withhold or retract comments,
572 refrain from participating in or withdraw from said proceedings or
573 hearings.

574 Sec. 9. Section 16-243n of the general statutes is repealed and the
575 following is substituted in lieu thereof (*Effective from passage*):

576 (a) Not later than October 1, 2005, each electric distribution
577 company, as defined in section 16-1, as amended by this act, shall
578 submit an application to the Public Utilities Regulatory Authority to
579 (1) on or before January 1, 2007, implement time-of-use rates for
580 customers that have a maximum demand of not less than three
581 hundred fifty kilowatts that may include, but not be limited to,
582 mandatory peak, shoulder and off-peak time-of-use rates, and (2) on or
583 before June 1, 2006, offer optional interruptible or load response rates
584 for customers that have a maximum demand of not less than three
585 hundred fifty kilowatts and offer optional seasonal and time-of-use
586 rates for all customers. The application shall propose to establish time-
587 of-use rates through a procurement plan, revenue neutral adjustments
588 to delivery rates, or both.

589 [(b) From March 1, 2006, until December 31, 2006, each electric
590 distribution company shall issue comparative analyses to customers
591 that have a maximum demand of not less than three hundred fifty
592 kilowatts that would demonstrate, at current levels of consumption,
593 the effects of the mandatory time-of-use rates as specified in
594 subdivision (l) of subsection (a) of this section to be effective beginning
595 January 1, 2007.]

596 [(c)] (b) Not later than November 1, 2005, each electric distribution
597 company shall submit an application to the Public Utilities Regulatory
598 Authority to implement mandatory seasonal rates for all customers
599 beginning April 1, 2007.

600 [(d) From April 1, 2006, until March 31, 2007, each electric
601 distribution company shall issue comparative analyses to all customers
602 that demonstrate, at current levels of consumption, the effects of the
603 mandatory seasonal rates that will be effective beginning April 1,
604 2007.]

605 [(e)] (c) The authority shall hold a hearing that shall be conducted as
606 a contested case, in accordance with the provisions of chapter 54, to
607 approve, reject or modify applications submitted pursuant to
608 subsection (a) or [(c)] (b) of this section. No application for time-of-use
609 rates shall be approved unless (1) such rates reasonably reflect the cost
610 of service during their respective time-of-use periods, and (2) the costs
611 associated with implementation, the impact on customers and benefits
612 to the utility system justify implementation of such rates, and (3) such
613 rates alter patterns of customer consumption of electricity without
614 undue adverse effect on the customer.

615 [(f)] (d) Each electric distribution company shall assist customers to
616 help manage loads and reduce peak consumption through the
617 comprehensive plan developed pursuant to section 16-245m, as
618 amended by this act.

619 [(g) The authority shall conduct a contested case, in accordance with
620 chapter 54, to determine the standards under which, and process by
621 which, a customer, having a maximum demand of three hundred fifty
622 kilowatts or more, may obtain an exemption, until July 1, 2010, from
623 mandatory time-of-use rates as specified in subdivision (1) of
624 subsection (a) of this section. The authority shall issue a decision in the
625 contested case no later than January 1, 2006.]

626 Sec. 10. Section 16-244b of the general statutes is repealed and the
627 following is substituted in lieu thereof (*Effective from passage*):

628 All customers of electric distribution companies, as defined in
629 section 16-1, as amended by this act, shall have the opportunity to
630 purchase electric generation services from their choice of electric
631 suppliers, as defined in section 16-1, as amended by this act, in a

632 competitive generation market in accordance with the schedule
633 provided in this section. [On and after January 1, 2000, up to thirty-five
634 per cent of the peak load of each rate class of an electric company or
635 electric distribution company, as the case may be, may choose an
636 electric supplier to provide their electric generation services, provided
637 such customers shall be located in distressed municipalities, as defined
638 in section 32-9p. In the event that the number of customers exceeds
639 thirty-five per cent of such load, preference shall be given to customers
640 located in distressed municipalities with a population greater than one
641 hundred thousand persons. Participation shall be determined on a
642 first-come, first-served basis.] As of July 1, 2000, all customers shall
643 have the opportunity to choose an electric supplier. On and after
644 January 1, 2000, electric generation services shall be provided in
645 accordance with section 16-244c, as amended by this act, to any
646 customer who has not chosen an electric supplier or has declined,
647 failed or been unable to enter into or maintain a contract for electric
648 generation services with an electric supplier. The Public Utilities
649 Regulatory Authority may adopt regulations, in accordance with
650 chapter 54, to implement the phase-in schedule provided in this
651 section.

652 Sec. 11. Subsection (e) of section 16-244c of the 2014 supplement to
653 the general statutes is repealed and the following is substituted in lieu
654 thereof (*Effective from passage*):

655 (e) An electric distribution company is not required to be licensed
656 pursuant to section 16-245 to provide [standard offer electric
657 generation services in accordance with] standard service pursuant to
658 subsection (a) of this section, supplier of last resort service pursuant to
659 subsection (c) of this section or back-up electric generation service
660 pursuant to subsection (d) of this section.

661 Sec. 12. Subsection (e) of section 16-244u of the 2014 supplement to
662 the general statutes is repealed and the following is substituted in lieu
663 thereof (*Effective from passage*):

664 (e) On or before October 1, 2013, the Public Utilities Regulatory

665 Authority shall conduct a proceeding to develop the administrative
666 processes and program specifications, including, but not limited to, a
667 cap of ten million dollars per year apportioned to each electric
668 distribution company based on consumer load for credits provided to
669 beneficial accounts pursuant to subsection (c) of this section and
670 payments made pursuant to subsection (d) of this section, provided
671 the municipal, state and agricultural customer hosts, each in the
672 aggregate, and the designated beneficial accounts of such customer
673 hosts, shall receive not more than forty per cent of the dollar amount
674 established pursuant to this subsection.

675 Sec. 13. Subsection (g) of section 16-245a of the 2014 supplement to
676 the general statutes is repealed and the following is substituted in lieu
677 thereof (*Effective from passage*):

678 (g) [(1)] Notwithstanding the provisions of this section and section
679 16-244c, as amended by this act, for periods beginning on and after
680 January 1, 2008, each electric distribution company may procure
681 renewable energy certificates from Class I, Class II and Class III
682 renewable energy sources through long-term contracting mechanisms.
683 The electric distribution companies may enter into long-term contracts
684 for not more than fifteen years to procure such renewable energy
685 certificates. The electric distribution companies shall use any
686 renewable energy certificates obtained pursuant to this section to meet
687 their standard service and supplier of last resort renewable portfolio
688 standard requirements.

689 [(2)] On or before July 1, 2007, the authority shall initiate a contested
690 case proceeding to examine whether long-term contracts should be
691 used to procure Class I, Class II and Class III certificates. In such
692 examination, the authority shall determine (A) the impact of such
693 contracts on price stability, fuel diversity and cost; (B) the method and
694 timing of crediting of the procurement of renewable energy certificates
695 against the renewable portfolio standard purchase obligations of
696 electric suppliers and the electric distribution companies pursuant to
697 subsection (a) of this section; (C) the terms and conditions, including

698 reasonable performance assurance commitments, that may be imposed
699 on entities seeking to supply renewable energy certificates; (D) the
700 level of one-time compensation, not to exceed one mill per kilowatt
701 hour of output and services associated with the renewable energy
702 certificates purchased pursuant to this subsection, which may be
703 payable to the electric distribution companies for administering the
704 procurement provided for under this subsection and recovered as part
705 of the generation services charge or through an appropriate
706 nonbypassable rate component on customers' bills; (E) the manner in
707 which costs for such program may be recovered from electric
708 distribution company customers; and (F) any other issues the authority
709 deems appropriate. Revenues from such compensation shall not be
710 included in calculating the electric distribution companies' earnings to
711 determine if rates are just and reasonable, for earnings sharing
712 mechanisms or for purposes of sections 16-19, 16-19a and 16-19e.]

713 Sec. 14. Subdivision (1) of subsection (a) of section 16-245m of the
714 2014 supplement to the general statutes is repealed and the following
715 is substituted in lieu thereof (*Effective from passage*):

716 (a) (1) On and after January 1, 2000, the Public Utilities Regulatory
717 Authority shall assess or cause to be assessed a charge of three mills
718 per kilowatt hour of electricity sold to each end use customer of an
719 electric distribution company to be used to implement the program as
720 provided in this section for conservation and load management
721 programs. [but not for the amortization of costs incurred prior to July
722 1, 1997, for such conservation and load management programs.]

723 Sec. 15. Subsection (b) of section 16-245n of the general statutes is
724 repealed and the following is substituted in lieu thereof (*Effective from*
725 *passage*):

726 (b) On and after July 1, 2004, the Public Utilities Regulatory
727 Authority shall assess or cause to be assessed a charge of not less than
728 one mill per kilowatt hour charged to each end use customer of electric
729 services in this state which shall be deposited into the Clean Energy
730 Fund established under subsection (c) of this section.

731 [Notwithstanding the provisions of this section, receipts from such
732 charges shall be disbursed to the resources of the General Fund during
733 the period from July 1, 2003, to June 30, 2005, unless the authority
734 shall, on or before October 30, 2003, issue a financing order for each
735 affected distribution company in accordance with sections 16-245e to
736 16-245k, inclusive, to sustain funding of renewable energy investment
737 programs by substituting an equivalent amount, as determined by the
738 authority in such financing order, of proceeds of rate reduction bonds
739 for disbursement to the resources of the General Fund during the
740 period from July 1, 2003, to June 30, 2005. The authority may authorize
741 in such financing order the issuance of rate reduction bonds that
742 substitute for disbursement to the General Fund for receipts of both
743 charges under this subsection and subsection (a) of section 16-245m
744 and also may in its discretion authorize the issuance of rate reduction
745 bonds under this subsection and subsection (a) of section 16-245m that
746 relate to more than one electric distribution company. The authority
747 shall, in such financing order or other appropriate order, offset any
748 increase in the competitive transition assessment necessary to pay
749 principal, premium, if any, interest and expenses of the issuance of
750 such rate reduction bonds by making an equivalent reduction to the
751 charges imposed under this subsection, provided any failure to offset
752 all or any portion of such increase in the competitive transition
753 assessment shall not affect the need to implement the full amount of
754 such increase as required by this subsection and sections 16-245e to 16-
755 245k, inclusive. Such financing order shall also provide if the rate
756 reduction bonds are not issued, any unrecovered funds expended and
757 committed by the electric distribution companies for renewable
758 resource investment through deposits into the Clean Energy Fund,
759 provided such expenditures were approved by the authority following
760 August 20, 2003, and prior to the date of determination that the rate
761 reduction bonds cannot be issued, shall be recovered by the companies
762 from their respective competitive transition assessment or systems
763 benefits charge, except that such expenditures shall not exceed one
764 million dollars per month. All receipts from the remaining charges
765 imposed under this subsection, after reduction of such charges to offset

766 the increase in the competitive transition assessment as provided in
767 this subsection, shall be disbursed to the Clean Energy Fund
768 commencing as of July 1, 2003. Any increase in the competitive
769 transition assessment or decrease in the renewable energy investment
770 component of an electric distribution company's rates resulting from
771 the issuance of or obligations under rate reduction bonds shall be
772 included as rate adjustments on customer bills.]

773 Sec. 16. Subsection (b) of section 16-245ff of the 2014 supplement to
774 the general statutes is repealed and the following is substituted in lieu
775 thereof (*Effective from passage*):

776 (b) The Clean Energy Finance and Investment Authority shall offer
777 direct financial incentives, in the form of performance-based incentives
778 or expected performance-based buydowns, for the purchase or lease of
779 qualifying residential solar photovoltaic systems. For the purposes of
780 this section, "performance-based incentives" means incentives paid out
781 on a per kilowatt-hour basis, and "expected performance-based
782 buydowns" means incentives paid out as a one-time upfront incentive
783 based on expected system performance. The authority shall consider
784 willingness to pay studies and verified solar photovoltaic system
785 characteristics, such as operational efficiency, size, location, shading
786 and orientation, when determining the type and amount of incentive.
787 Notwithstanding the provisions of subdivision (1) of subsection (h) of
788 section 16-244c, the amount of renewable energy produced from Class
789 I renewable energy sources receiving tariff payments or included in
790 utility rates under this section shall be applied to reduce the electric
791 distribution company's Class I renewable energy source portfolio
792 standard. Customers who receive expected performance-based
793 buydowns under this section shall not be eligible for a credit pursuant
794 to section [16-243b] 16-243h.

795 Sec. 17. Subsection (c) of section 16-262y of the 2014 supplement to
796 the general statutes is repealed and the following is substituted in lieu
797 thereof (*Effective from passage*):

798 (c) (1) On or after June 5, 2013, and before a water company [,] with

799 actual revenues at least one per cent less than allowed revenues files
800 for its next general rate case pursuant to section 16-19, as amended by
801 this act, such company may request, and the Public Utilities
802 Regulatory Authority shall initiate, a docket for a limited reopener to
803 approve a revenue adjustment mechanism.

804 (2) After approval of a revenue adjustment mechanism pursuant to
805 subdivision (1) of this subsection, such mechanism shall be authorized
806 by the authority annually thereafter until the earlier of (A) the sixth
807 year after the last general rate case, or (B) such time as such company
808 files its next general rate case. Such company shall file with the
809 authority an annual reconciliation of actual revenues to allowed
810 revenues that shall include a report of the changes in water demands
811 and any measures such company has taken to promote water
812 conservation.

813 Sec. 18. Subsection (a) of section 16a-3 of the 2014 supplement to the
814 general statutes is repealed and the following is substituted in lieu
815 thereof (*Effective from passage*):

816 (a) There is established a Connecticut Energy Advisory Board
817 consisting of nine members, including a representative of the Office of
818 Consumer Counsel. The president pro tempore of the Senate shall
819 appoint a representative of an environmental organization
820 knowledgeable in energy efficiency programs, a representative of a
821 consumer advocacy organization and a representative of a state-wide
822 business association. The speaker of the House of Representatives shall
823 appoint a representative of low-income ratepayers, a representative of
824 academia who has knowledge of energy-related issues and a member
825 of the public considered to be an expert in electricity, generation,
826 renewable energy, procurement or conservation programs. The
827 minority leader of the Senate shall appoint a representative of a
828 municipality. The minority leader of the House of Representatives
829 shall appoint a member of the public considered to be an expert in
830 electricity, generation, renewable energy, procurement or
831 conservation. All appointed members shall serve in accordance with

832 section 4-1a. No appointee may be employed by, or a consultant of, a
833 public service company, as defined in section 16-1, as amended by this
834 act, or an electric supplier, as defined in section 16-1, as amended by
835 this act, or an affiliate or subsidiary of such company or supplier.

836 Sec. 19. Section 16a-3e of the 2014 supplement to the general statutes
837 is repealed and the following is substituted in lieu thereof (*Effective*
838 *from passage*):

839 The Integrated Resources Plan to be adopted in 2012 and [annually]
840 biennially thereafter, shall (1) indicate specific options to reduce
841 electric rates and costs. Such options may include the procurement of
842 new sources of generation. In the review of new sources of generation,
843 the Integrated Resources Plan shall indicate whether the private
844 wholesale market can supply such additional sources or whether state
845 financial assistance, long-term purchasing of electricity contracts or
846 other interventions are needed to achieve the goal; (2) analyze in-state
847 renewable sources of electricity in comparison to transmission line
848 upgrades or new projects and out-of-state renewable energy sources,
849 provided such analysis also considers the benefits of additional jobs
850 and other economic impacts and how they are created and subsidized;
851 (3) include an examination of average consumption and other states'
852 best practices to determine why electricity rates are lower elsewhere in
853 the region; (4) assess and compare the cost of transmission line
854 projects, new power sources, renewable sources of electricity,
855 conservation and distributed generation projects to ensure the state
856 pursues only the least-cost alternative projects; (5) continually monitor
857 supply and distribution systems to identify potential need for
858 transmission line projects early enough to identify alternatives; and (6)
859 assess the least-cost alternative to address reliability concerns,
860 including, but not limited to, lowering electricity demand through
861 conservation and distributed generation projects before an electric
862 distribution company submits a proposal for transmission lines or
863 transmission line upgrades to the independent system operator or the
864 Federal Energy Regulatory Commission, provided no provision of
865 such plan shall be deemed to prohibit an electric distribution company

866 from making any filing required by law or regulation.

867 Sec. 20. Subsection (c) of section 16a-40m of the 2014 supplement to
868 the general statutes is repealed and the following is substituted in lieu
869 thereof (*Effective from passage*):

870 (c) The guidelines for the comprehensive residential clean energy
871 on-bill repayment program pursuant to subdivisions (9) to (11),
872 inclusive, of subsection (b) of this section shall be subject to review and
873 [approve] approval by the Public Utilities Regulatory Authority, which
874 review shall commence upon filing such guidelines with the authority
875 and the review shall be deemed complete not later than ninety days
876 after such filing. Such review shall be conducted in an uncontested
877 proceeding.

878 Sec. 21. Subdivision (57) of section 12-81 of the 2014 supplement to
879 the general statutes is repealed and the following is substituted in lieu
880 thereof (*Effective from passage*):

881 (57) (A) Any Class I renewable energy source, as defined in section
882 16-1, as amended by this act, or hydropower facility described in
883 subdivision [(27)] (21) of subsection (a) of section 16-1, as amended by
884 this act, installed for the generation of electricity for private residential
885 use or on a farm, as defined in subsection (q) of section 1-1, provided
886 such installation occurs on or after October 1, 2007, and further
887 provided such installation is for a single family dwelling, a
888 multifamily dwelling consisting of two to four units or a farm, or any
889 passive or active solar water or space heating system or geothermal
890 energy resource;

891 (B) For assessment years commencing on and after October 1, 2013,
892 any Class I renewable energy source, as defined in section 16-1, as
893 amended by this act, hydropower facility described in subdivision
894 [(27)] (21) of subsection (a) of section 16-1, as amended by this act, or
895 solar thermal or geothermal renewable energy source, installed for
896 generation or displacement of energy, provided (i) such installation
897 occurs on or after January 1, 2010, (ii) such installation is for

898 commercial or industrial purposes, (iii) the nameplate capacity of such
899 source or facility does not exceed the load for the location where such
900 generation or displacement is located, and (iv) such source or facility is
901 located in a distressed municipality, as defined in section 32-9p, with a
902 population between one hundred twenty-five thousand and one
903 hundred thirty-five thousand;

904 (C) For assessment years commencing on and after October 1, 2013,
905 any municipality may, upon approval by its legislative body or in any
906 town in which the legislative body is a town meeting, by the board of
907 selectmen, abate up to one hundred per cent of property tax for any
908 Class I renewable energy source, as defined in section 16-1, as
909 amended by this act, hydropower facility described in subdivision
910 ~~[(27)]~~ (21) of subsection (a) of section 16-1, as amended by this act, or
911 solar thermal or geothermal renewable energy source, installed for
912 generation or displacement of energy, provided (i) such installation
913 occurs between January 1, 2010, and December 31, 2013, (ii) such
914 installation is for commercial or industrial purposes, (iii) the nameplate
915 capacity of such source or facility does not exceed the load for the
916 location where such generation or displacement is located, and (iv)
917 such source or facility is not located in a municipality described in
918 subparagraph (B) of this subdivision;

919 (D) For assessment years commencing on and after October 1, 2014,
920 any Class I renewable energy source, as defined in section 16-1, as
921 amended by this act, hydropower facility described in subdivision
922 ~~[(27)]~~ (21) of subsection (a) of section 16-1, as amended by this act, or
923 solar thermal or geothermal renewable energy source, installed for
924 generation or displacement of energy, provided (i) such installation
925 occurs on or after January 1, 2014, (ii) is for commercial or industrial
926 purposes, and (iii) the nameplate capacity of such source or facility
927 does not exceed the load for the location where such generation or
928 displacement is located;

929 (E) Any person claiming the exemption provided in this subdivision
930 for any assessment year shall, on or before the first day of November

931 in such assessment year, file with the assessor or board of assessors in
932 the town in which such hydropower facility, Class I renewable energy
933 source, solar thermal or geothermal renewable energy source or
934 passive or active solar water or space heating system or geothermal
935 energy resource is located, a written application claiming such
936 exemption. Failure to file such application in the manner and form as
937 provided by such assessor or board within the time limit prescribed
938 shall constitute a waiver of the right to such exemption for such
939 assessment year. Such application shall not be required for any
940 assessment year following that for which the initial application is filed,
941 provided if such hydropower facility, Class I renewable energy source,
942 solar thermal or geothermal renewable energy source or passive or
943 active solar water or space heating system or geothermal energy
944 resource is altered in a manner which would require a building permit,
945 such alteration shall be deemed a waiver of the right to such
946 exemption until a new application, applicable with respect to such
947 altered source, is filed and the right to such exemption is established as
948 required initially;

949 Sec. 22. Subsection (e) of section 12-268s of the 2014 supplement to
950 the general statutes is repealed and the following is substituted in lieu
951 thereof (*Effective from passage*):

952 (e) The tax imposed by this section shall not apply to any net
953 kilowatt hours of electricity generated at (1) an electric generation
954 facility in this state exclusively through the use of fuel cells or an
955 alternative energy system, (2) a resources recovery facility, as defined
956 in section 22a-260, or (3) customer-side distributed resources, as
957 defined in [subdivision (40) of] subsection (a) of section 16-1, as
958 amended by this act.

959 Sec. 23. Section 13a-126c of the general statutes is repealed and the
960 following is substituted in lieu thereof (*Effective from passage*):

961 Notwithstanding any provision of the general statutes, the
962 Commissioner of Transportation may enter into an agreement with the
963 owner or operator of a public service facility, as defined in section 13a-

964 126, desiring the longitudinal use of the right-of-way of a state
965 highway to accommodate trunkline or transmission-type utility
966 facilities and to fix the terms, conditions and rates and charges for use
967 of such right-of-way; provided, no such agreement shall exempt a
968 public service facility from the provisions of chapter 277a. In the case
969 of public service companies, as defined in [subdivision (1) of
970 subsection (a) of] section 16-1, as amended by this act, such charges or
971 rates shall not exceed the actual administrative, construction, operation
972 and maintenance costs of the department incurred as a result of the
973 public service company's use of a nonlimited access state highway. The
974 department may estimate such charges or rates and require
975 prepayment of such charges or rates, provided any amount in excess of
976 the actual amount shall be refunded to the public service company.

977 Sec. 24. Subsection (a) of section 16a-51 of the 2014 supplement to
978 the general statutes is repealed and the following is substituted in lieu
979 thereof (*Effective from passage*):

980 (a) As used in this section, (1) "qualifying project" means a
981 combined heat and power system, as described in subdivision [(44)]
982 (38) of subsection (a) of section 16-1, as amended by this act, that (A)
983 provides commercial, industrial or residential facilities with both
984 electrical generation and heat output, (B) has a nameplate capacity of
985 between five hundred and five thousand kilowatts, (C) is placed into
986 service between January 1, 2012, and January 1, 2015, and (D) is not
987 eligible under section 16-245hh or section 103 of public act 11-80, and
988 (2) "electric distribution company" has the same meaning as provided
989 in section 16-1, as amended by this act.

990 Sec. 25. Section 8-133a of the general statutes is repealed and the
991 following is substituted in lieu thereof (*Effective from passage*):

992 As used in this section, "public service facility" includes any sewer,
993 pipe, main, conduit, cable, wire, pole, tower, building or utility
994 appliance owned or operated by an electric distribution, gas,
995 telephone, [telegraph,] water or community antenna television service
996 company. Whenever a redevelopment agency determines that the

997 closing of any street or public right-of-way is provided for in a
998 redevelopment or renewal plan adopted and approved in accordance
999 with section 8-127, or where the carrying out of such a redevelopment
1000 or renewal plan, including the construction of new improvements,
1001 requires the temporary or permanent readjustment, relocation or
1002 removal of a public service facility from a street or public right-of-way,
1003 the agency shall issue an appropriate order to the company owning or
1004 operating such facility, and such company shall permanently or
1005 temporarily readjust, relocate or remove the same promptly in
1006 accordance with such order, provided an equitable share of the cost of
1007 such readjustment, relocation or removal of said public service facility
1008 located within the redevelopment area, including the cost of installing
1009 and constructing a facility of equal capacity in a new location, shall be
1010 borne by the redevelopment agency. Such equitable share shall be fifty
1011 per cent of such cost after the deductions hereinafter provided. In
1012 establishing the equitable share of the cost to be borne by the
1013 redevelopment agency, there shall be deducted from the cost of the
1014 readjusted, relocated or removed facilities a sum based on a
1015 consideration of the value of materials salvaged from existing
1016 installations, the cost of the original installation, the life expectancy of
1017 the original facility and the unexpired term of such life use. For the
1018 purposes of determining the equitable share of the cost of such
1019 readjustment, relocation or removal, the books and records of the
1020 company shall be available for the inspection of the redevelopment
1021 agency. When any facility is removed from a street or public right-of-
1022 way to a private right-of-way, the redevelopment agency shall not pay
1023 for such private right-of-way. If the redevelopment agency and the
1024 company owning or operating such facility cannot agree upon the
1025 share of the cost to be borne by the redevelopment agency, either may
1026 apply to the superior court for the county within which the street or
1027 public right-of-way is situated, or, if the court is not in session, to any
1028 judge thereof, for a determination of the cost to be borne by the
1029 redevelopment agency, and such court or such judge, after causing
1030 notice of the pendency of such application to be given to the other
1031 party, shall appoint a state referee to make such determination. Such

1032 referee, having given at least ten days' notice, to the parties interested,
1033 of the time and place of the hearing, shall hear both parties, shall take
1034 such testimony as such referee may deem material and shall thereupon
1035 determine the amount of the cost to be borne by the redevelopment
1036 agency and forthwith report to the court. If the report is accepted by
1037 the court, such determination shall, subject to right of appeal as in civil
1038 actions, be conclusive upon such parties.

1039 Sec. 26. Section 8-194 of the general statutes is repealed and the
1040 following is substituted in lieu thereof (*Effective from passage*):

1041 As used in this section, "public service facility" includes any sewer,
1042 pipe, main, conduit, cable, wire, pole, tower, building or utility
1043 appliance owned or operated by an electric distribution, gas, telephone
1044 [, telegraph] or water company. Whenever a development agency
1045 determines that the closing of any street or public right-of-way is
1046 provided for in a development plan adopted and approved in
1047 accordance with this chapter, or where the carrying out of such a
1048 development plan, including the construction of new improvements,
1049 requires the temporary or permanent readjustment, relocation or
1050 removal of a public service facility from a street or public right-of-way,
1051 the agency shall issue an appropriate order to the company owning or
1052 operating such facility, and such company shall permanently or
1053 temporarily readjust, relocate or remove the same promptly in
1054 accordance with such order, provided an equitable share of the cost of
1055 such readjustment, relocation or removal, including the cost of
1056 installing and constructing a facility of equal capacity in a new
1057 location, shall be borne by the development agency. Such equitable
1058 share shall be fifty per cent of such cost after the deduction hereinafter
1059 provided. In establishing the equitable share of the cost to be borne by
1060 the development agency, there shall be deducted from the cost of the
1061 readjusted, relocated or removed facilities a sum based on a
1062 consideration of the value of materials salvaged from existing
1063 installations, the cost of the original installation, the life expectancy of
1064 the original facility and the unexpired term of such life use. For the
1065 purposes of determining the equitable share of the cost of such

1066 readjustment, relocation or removal, the books and records of the
1067 company shall be available for the inspection of the development
1068 agency. When any facility is removed from a street or public right-of-
1069 way to a private right-of-way, the development agency shall not pay
1070 for such private right-of-way. If the development agency and the
1071 company owning or operating such facility cannot agree upon the
1072 share of the cost to be borne by the development agency, either may
1073 apply to the superior court for the judicial district within which the
1074 street or public right-of-way is situated, or, if the court is not in session,
1075 to any judge thereof, for a determination of the cost to be borne by the
1076 development agency, and such court or such judge, after causing
1077 notice of the pendency of such application to be given to the other
1078 party, shall appoint a state referee to make such determination. Such
1079 referee, having given at least ten days' notice, to the parties interested,
1080 of the time and place of the hearing, shall hear both parties, shall take
1081 such testimony as such referee may deem material and shall thereupon
1082 determine the amount of the cost to be borne by the development
1083 agency and forthwith report to the court. If the report is accepted by
1084 the court, such determination shall, subject to right of appeal as in civil
1085 actions, be conclusive upon such parties.

1086 Sec. 27. Subsection (a) of section 8-395 of the general statutes is
1087 repealed and the following is substituted in lieu thereof (*Effective from*
1088 *passage*):

1089 (a) As used in this section, (1) "business firm" means any business
1090 entity authorized to do business in the state and subject to the
1091 corporation business tax imposed under chapter 208, or any company
1092 subject to a tax imposed under chapter 207, or any air carrier subject to
1093 the air carriers tax imposed under chapter 209, or any railroad
1094 company subject to the railroad companies tax imposed under chapter
1095 210, or any regulated telecommunications service, express, [telegraph,]
1096 cable [,] or community antenna television company subject to the
1097 regulated telecommunications service, express, [telegraph,] cable [,]
1098 and community antenna television companies tax imposed under
1099 chapter 211, or any utility company subject to the utility companies tax

1100 imposed under chapter 212, and (2) "nonprofit corporation" means a
1101 nonprofit corporation incorporated pursuant to chapter 602 or any
1102 predecessor statutes thereto, having as one of its purposes the
1103 construction, rehabilitation, ownership or operation of housing and
1104 having articles of incorporation approved by the executive director of
1105 the Connecticut Housing Finance Authority in accordance with
1106 regulations adopted pursuant to section 8-79a or 8-84.

1107 Sec. 28. Section 12-80 of the general statutes is repealed and the
1108 following is substituted in lieu thereof (*Effective from passage*):

1109 Real and tangible personal property owned by any company,
1110 including a foreign municipal electric utility as defined in section 12-
1111 59, employed in the manufacture, transmission or distribution of gas
1112 or electricity or both to be used for light, heat or motive power or in
1113 the operation of a system of water works for selling or distributing
1114 water or both for domestic or power purposes or for two or more of
1115 such purposes shall be set in the list of each town where such property
1116 is situated on its assessment day and shall be liable to taxation at such
1117 percentage of its fair market value as is determined by the assessors
1118 under the provisions of sections 12-64 and 12-71. The provisions of this
1119 section shall not affect the provisions of section 12-76. Property subject
1120 to taxation under the provisions of this section shall not be subject to
1121 taxation under the provisions of sections 12-77, 12-78 and 12-79.
1122 Railroad companies subject to taxation under the provisions of chapter
1123 210, and express, [telegraph,] telephone and cable companies subject to
1124 taxation under the provisions of chapter 211, shall not be subject to the
1125 provisions of this section.

1126 Sec. 29. Section 13a-127 of the general statutes is repealed and the
1127 following is substituted in lieu thereof (*Effective from passage*):

1128 The commissioner is authorized to contract with any person,
1129 partnership, association or corporation, desiring the use of the project
1130 authorized by section 13a-32, the Gold Star Memorial Bridge or the
1131 Old Lyme and Old Saybrook Bridge, or the appurtenances and
1132 approaches or any part of such project or bridges, for placing thereon

1133 water, steam, gas or oil pipelines, telephone, [telegraph,] electric light
1134 or power lines, or for any other purpose, and to fix the terms,
1135 conditions and rates and charges for such use.

1136 Sec. 30. Section 16-32 of the general statutes is repealed and the
1137 following is substituted in lieu thereof (*Effective from passage*):

1138 Each public service company [, except telegraph companies and
1139 express companies subject to the jurisdiction of the Interstate
1140 Commerce Commission or its successor agency,] shall have an annual
1141 comprehensive audit and report made of its accounts and operations
1142 by independent public accountants satisfactory to the Public Utilities
1143 Regulatory Authority. A copy of such annual audit report shall be filed
1144 with the authority, together with the company's annual report. In the
1145 absence of such an audit report, or if the authority, after notice and
1146 opportunity for a hearing, determines that such audit report is
1147 insufficient or unsatisfactory, the authority shall cause such an audit to
1148 be made at the expense of the company either by independent public
1149 accountants satisfactory to the authority or by any staff of the authority
1150 engaged in the activities contemplated by subsection (b) of section 16-
1151 8, as amended by this act. The authority may waive the compliance
1152 with the provisions of this section by any public service company
1153 whose annual gross income is less than one hundred thousand dollars.

1154 Sec. 31. Section 16-237 of the general statutes is repealed and the
1155 following is substituted in lieu thereof (*Effective from passage*):

1156 No person or corporation building and maintaining [telegraph,]
1157 telephone or electric light or power wires or fixtures, or electrical
1158 wires, conductors or fixtures of any kind shall, by reason of any
1159 occupation or use of any buildings or lands for the support of the wires
1160 of such person or corporation, or by reason of such wires passing over
1161 or through any buildings or lands, acquire by the continuance of such
1162 use or occupation any prescriptive right to so occupy or use the same.
1163 No length of possession, user or occupancy of any buildings or land, or
1164 adverse to any easement therein or right thereto belonging to a
1165 [telegraph,] telephone or electric [light or power corporation]

1166 distribution company, and used or acquired for use for its corporate
1167 purposes, shall create or continue any right in or to such land, or
1168 adverse to any such easement.

1169 Sec. 32. Section 16-238 of the general statutes is repealed and the
1170 following is substituted in lieu thereof (*Effective from passage*):

1171 When it is deemed necessary to cut or otherwise disconnect the
1172 wires or fixtures of any [telegraph,] telephone, electric [light or power]
1173 distribution company or other company or association hereinbefore
1174 referred to, or to remove such wires from the poles or fixtures to which
1175 they are attached, for the transportation of any object on the highway
1176 or upon any waterway, any person or corporation may do so,
1177 exercising reasonable care therein, after obtaining written consent of
1178 the municipality or other authority having control over such highway
1179 or waterway and the public service company or companies affected,
1180 which consent may be granted under such reasonable conditions as
1181 such municipality or other authority having such control and such
1182 company or companies may impose. If such consent cannot be
1183 secured, or if any of such conditions is not acceptable to the person or
1184 corporation seeking such consent, the Public Utilities Regulatory
1185 Authority shall, upon written application by such person or
1186 corporation and after notice to all parties affected, determine the
1187 necessity of such disconnection or removal and order the terms and
1188 conditions under which it shall be made.

1189 Sec. 33. Subsection (c) of section 16-345 of the general statutes is
1190 repealed and the following is substituted in lieu thereof (*Effective from*
1191 *passage*):

1192 (c) "Public utility" means the owner or operator of underground
1193 facilities for furnishing electric, gas, telephone, [telegraph,] pipeline,
1194 sewage, water, community television antenna, steam or traffic signal
1195 service, including a municipal or other public owner or operator.

1196 Sec. 34. Section 22a-470 of the general statutes is repealed and the
1197 following is substituted in lieu thereof (*Effective from passage*):

1198 Whenever a municipality obtains a grant under this chapter for the
1199 construction, rebuilding, expansion or acquisition of sewers or other
1200 pollution abatement facilities and where the carrying out of such
1201 construction, rebuilding, expansion or acquisition requires the
1202 temporary or permanent readjustment, relocation or removal of a
1203 public service facility from a street or public right-of-way, the
1204 municipality shall issue an appropriate order to the company owning
1205 or operating such facility and such company shall permanently or
1206 temporarily readjust, relocate or remove such facility promptly in
1207 accordance with such order, provided an equitable share of the cost of
1208 such readjustment, relocation or removal of said public service facility,
1209 including the cost of installing and constructing a facility equal in
1210 capacity in a new location, shall be borne by the municipality. Such
1211 equitable share shall be one hundred per cent of such cost after the
1212 deductions hereinafter provided. In establishing the equitable share of
1213 the cost to be borne by the municipality, there shall be deducted from
1214 the cost of the readjusted, relocated or removed facilities a sum based
1215 on a consideration of the value of materials salvaged from existing
1216 installations, the cost of the original installation, the life expectancy of
1217 the original facility and the unexpired term of such useful life. For the
1218 purposes of determining the equitable share of the cost of such
1219 readjustment, relocation or removal, the books and records of the
1220 company shall be available for the inspection of the municipality.
1221 When any facility is removed from a street or public right-of-way to a
1222 private right-of-way, the municipality shall not pay for such right-of-
1223 way. If the municipality and the company owning or operating such
1224 facility cannot agree upon the share of the cost to be borne by the
1225 municipality, either may apply to the superior court for the judicial
1226 district in which the street or public right-of-way is situated or, if the
1227 court is not in session, to any judge thereof for a determination of the
1228 cost to be borne by the municipality, and such court or judge after
1229 causing notice of the pendency of such application to be given to the
1230 other party, shall appoint a state referee to make such determination.
1231 Such referee, having given at least ten days' notice to the parties
1232 interested of the time and place of the hearing, shall hear both parties,

1233 shall take such testimony as such referee may deem material and shall
1234 thereupon determine the amount of the cost to be borne by the
1235 municipality and forthwith report to the court. If the report is accepted
1236 by the court, such determination shall, subject to right of appeal as in
1237 civil actions, be conclusive upon such parties. As used in this section,
1238 "public service facility" includes any sewer, pipe, main, conduit, cable,
1239 wire, tower, building or a utility appliance owned or operated by an
1240 electric distribution, gas, telephone, [telegraph,] water or community
1241 antenna television service company.

1242 Sec. 35. Subsection (a) of section 29-19 of the general statutes is
1243 repealed and the following is substituted in lieu thereof (*Effective from*
1244 *passage*):

1245 (a) The Commissioner of Emergency Services and Public Protection
1246 may, upon the application of any electric distribution, gas, telephone [,
1247 telegraph] or water company owning, leasing, maintaining, managing
1248 or controlling any property, plant or equipment in this state,
1249 commission, during his pleasure, one or more persons designated by
1250 such company who, having been sworn, may act at the expense of such
1251 company as policemen upon the premises used or occupied by such
1252 company in its business, or upon any highway adjacent to such
1253 premises, for the proper protection of such plant or property, and each
1254 policeman so appointed may arrest and take before some proper
1255 authority any person in his precinct for any offense committed therein.
1256 Said commissioner may exercise such supervision and direction over
1257 any policeman appointed as herein provided as he deems necessary.
1258 When any such commission is issued or revoked, said commissioner
1259 shall notify the clerk of the superior court for each judicial district in
1260 which it is intended that such policeman shall act.

1261 Sec. 36. Section 31-16 of the general statutes is repealed and the
1262 following is substituted in lieu thereof (*Effective from passage*):

1263 No person under the age of eighteen years shall be employed by
1264 any [telegraph or] messenger company, in cities having a population of
1265 twenty thousand or over, to distribute, transmit or deliver goods or

1266 messages between the hours of ten o'clock at night and five o'clock in
1267 the morning. The manager of the office of any corporation who
1268 violates any provision of this section shall be fined not more than fifty
1269 dollars for each day of such employment. The provisions of this section
1270 shall not apply to persons under the age of eighteen who have
1271 graduated from a secondary educational institution.

1272 Sec. 37. Subsection (g) of section 32-224 of the 2014 supplement to
1273 the general statutes is repealed and the following is substituted in lieu
1274 thereof (*Effective from passage*):

1275 (g) As used in this subsection, "public service facility" includes any
1276 sewer, pipe, main conduit, cable, wire, pole, tower, building or utility
1277 appliance owned or operated by an electric distribution, gas, telephone
1278 [, telegraph] or water company. Whenever an implementing agency
1279 determines that the closing of any street or public right-of-way is
1280 provided for in a development plan adopted and approved in
1281 accordance with sections 32-220 to 32-234, inclusive, or where the
1282 carrying out of such a development plan, including the construction of
1283 new improvements, requires the temporary or permanent
1284 readjustment, relocation or removal of a public service facility from a
1285 street or public right-of-way, the implementing agency shall issue an
1286 appropriate order to the company owning or operating such facility.
1287 Such company shall permanently or temporarily readjust, relocate or
1288 remove the public service facility promptly in accordance with such
1289 order, provided an equitable share of the cost of such readjustment,
1290 relocation or removal, including the cost of installing and constructing
1291 a facility of equal capacity in a new location, shall be borne by the
1292 implementing agency. Such equitable share shall be fifty per cent of
1293 such cost after the deduction hereinafter provided. In establishing the
1294 equitable share of the cost to be borne by the implementing agency,
1295 there shall be deducted from the cost of the readjusted, relocated or
1296 removed facilities a sum based on a consideration of the value of
1297 materials salvaged from existing installations, the cost of the original
1298 installation, the life expectancy of the original facility and the
1299 unexpired term of such life use. The books and records of the company

1300 shall be made available for inspection by the implementing agency to
1301 determine the equitable share of the cost of such readjustment,
1302 relocation or removal. When any facility is removed from a street or
1303 public right-of-way to a private right-of-way, the implementing agency
1304 shall not pay for such private right-of-way. If the implementing agency
1305 and the company owning or operating such facility cannot agree upon
1306 the share of the cost to be borne by the implementing agency, such
1307 agency or the company may apply to the superior court for the judicial
1308 district within which the street or public right-of-way is situated, or, if
1309 the court is not in session, to any judge thereof, for a determination of
1310 the cost to be borne by the implementing agency. The court or the
1311 judge, after causing notice of the pendency of such application to be
1312 given to the other party, shall appoint a state referee to make such
1313 determination. The referee, having given at least ten days' notice to the
1314 interested parties of the time and place of the hearing, shall hear both
1315 parties, take such testimony as he may deem material and thereupon
1316 determine the amount of the cost to be borne by the implementing
1317 agency. The referee shall immediately report the amount to the court.
1318 If the report is accepted by the court, such determination shall, subject
1319 to right of appeal as in civil actions, be conclusive upon such parties.

1320 Sec. 38. Subsection (b) of section 33-645 of the general statutes is
1321 repealed and the following is substituted in lieu thereof (*Effective from*
1322 *passage*):

1323 (b) No corporation formed under sections 33-600 to 33-998,
1324 inclusive, shall have power to transact in this state the business of a
1325 [telegraph company,] gas, [electric,] electric distribution or water
1326 company, or cemetery corporation, or of any company, except a
1327 telephone company, requiring the right to take and condemn lands or
1328 to occupy the public highways of this state.

1329 Sec. 39. Subsection (a) of section 33-920 of the general statutes is
1330 repealed and the following is substituted in lieu thereof (*Effective from*
1331 *passage*):

1332 (a) A foreign corporation, other than an insurance, surety or

1333 indemnity company, may not transact business in this state until it
1334 obtains a certificate of authority from the Secretary of the State. No
1335 foreign corporation engaged in the business of a [telegraph company,]
1336 gas, [electric,] electric distribution or water company, or cemetery
1337 corporation, or of any company requiring the right to take and
1338 condemn lands or to occupy the public highways of this state, and no
1339 foreign telephone company, shall transact in this state the business
1340 authorized by its certificate of incorporation or by the laws of the state
1341 under which it was organized, unless empowered so to do by some
1342 general or special act of this state, except for the purpose of carrying
1343 out and renewing contracts existing upon August 1, 1903. No
1344 insurance, surety or indemnity company shall transact business in this
1345 state until it has procured a license from the Insurance Commissioner
1346 in accordance with the provisions of section 38a-41.

1347 Sec. 40. Subsection (b) of section 33-1035 of the general statutes is
1348 repealed and the following is substituted in lieu thereof (*Effective from*
1349 *passage*):

1350 (b) Except as provided in subsection (f) of this section, no
1351 corporation formed under sections 33-1000 to 33-1290, inclusive, shall,
1352 or shall have power to, transact in this state the business of an
1353 insurance company or a surety or indemnity company, railroad
1354 company, [telegraph company,] gas, [electric,] electric distribution or
1355 water company, or of any company requiring the right to take and
1356 condemn lands or to occupy the public highways of this state.

1357 Sec. 41. Subsection (a) of section 33-1210 of the general statutes is
1358 repealed and the following is substituted in lieu thereof (*Effective from*
1359 *passage*):

1360 (a) A foreign corporation, other than an insurance, surety or
1361 indemnity company, may not conduct affairs in this state until it
1362 obtains a certificate of authority from the Secretary of the State. No
1363 foreign corporation conducting the affairs of a state bank and trust
1364 company, savings bank or building and loan association, railroad
1365 company, [telegraph company,] gas, [electric,] electric distribution or

1366 water company, or of any company requiring the right to take and
1367 condemn lands or to occupy the public highways of this state, and no
1368 foreign telephone company, shall conduct in this state affairs
1369 authorized by its certificate of incorporation or by the laws of the state
1370 under which it was organized, unless empowered so to do by some
1371 general or special act of this state, except for the purpose of carrying
1372 out and renewing contracts existing upon August 1, 1903. No
1373 insurance, surety or indemnity company shall conduct affairs in this
1374 state until it has procured a license from the Insurance Commissioner
1375 in accordance with the provisions of section 38a-41.

1376 Sec. 42. Subsection (d) of section 34-119 of the general statutes is
1377 repealed and the following is substituted in lieu thereof (*Effective from*
1378 *passage*):

1379 (d) No limited liability company formed under sections 34-100 to 34-
1380 242, inclusive, shall have power to transact in this state the business of
1381 a [telegraph company,] gas, [electric,] electric distribution or water
1382 company, or cemetery corporation, or of any company, except a
1383 telephone company, requiring the right to take and condemn lands or
1384 to occupy the public highways of this state.

1385 Sec. 43. Section 52-380b of the general statutes is repealed and the
1386 following is substituted in lieu thereof (*Effective from passage*):

1387 Any property of any [telegraph,] telephone [, electric] or electric
1388 distribution company, or association engaged in distributing electricity
1389 by wires or similar conductors, attached or liable to attachment under
1390 the provisions of section 52-287, as amended by this act, may be
1391 subjected to a lien by any person holding the legal title to an
1392 unsatisfied judgment, whether by assignment or otherwise, against the
1393 company or association, provided the creditor shall file a certificate in
1394 writing in the office of the Secretary of the State in the form provided
1395 in section 52-380a. If the lien is placed upon the property attached in
1396 the suit upon which the judgment was predicated and within four
1397 months after the judgment was rendered, it shall hold from the date of
1398 the attachment. Any such lien may be foreclosed or redeemed in the

1399 same manner as mortgages upon real property.

1400 Sec. 44. Subsection (b) of section 8-37jj of the general statutes is
1401 repealed and the following is substituted in lieu thereof (*Effective from*
1402 *passage*):

1403 (b) If the Department of Housing or the Connecticut Housing
1404 Finance Authority uses electric resistance space heating as the primary
1405 heating source in any new construction, it shall construct the unit in
1406 such a way as to be eligible for any available energy conservation
1407 incentives provided by the electric distribution company, as defined in
1408 section 16-1, as amended by this act, or the municipal utility furnishing
1409 electric service to such unit.

1410 Sec. 45. Subdivision (13) of subsection (b) of section 9-601a of the
1411 2014 supplement to the general statutes is repealed and the following
1412 is substituted in lieu thereof (*Effective from passage*):

1413 (13) The advance of a security deposit by an individual to a
1414 telephone company, as defined in section 16-1, as amended by this act,
1415 for telecommunications service for a committee or to another utility
1416 company, such as an electric distribution company, provided the
1417 security deposit is refunded to the individual;

1418 Sec. 46. Subparagraph (A) of subdivision (20) of subsection (a) of
1419 section 12-213 of the general statutes is repealed and the following is
1420 substituted in lieu thereof (*Effective from passage*):

1421 (20) (A) "Carrying on or doing business" means and includes each
1422 and every act, power or privilege exercised or enjoyed in this state, as
1423 an incident to, or by virtue of, the powers and privileges acquired by
1424 the nature of any organization whether the form of existence is
1425 corporate, associate, joint stock company or fiduciary, and includes the
1426 direct or indirect engaging in, transacting or conducting of activity in
1427 this state by an electric supplier, as defined in section 16-1, as amended
1428 by this act, or generation entity or affiliate, as defined in section 16-1,
1429 as amended by this act, for the purpose of establishing or maintaining

1430 a market for the sale of electricity or of electric generation services, as
1431 defined in section 16-1, as amended by this act, to end use customers
1432 located in this state through the use of the transmission or distribution
1433 facilities of an electric distribution company, as defined in section 16-1,
1434 as amended by this act; [, or, until unbundled in accordance with
1435 section 16-244e, electric company, as defined in section 16-1;]

1436 Sec. 47. Subsection (b) of section 12-265 of the general statutes is
1437 repealed and the following is substituted in lieu thereof (*Effective from*
1438 *passage*):

1439 (b) (1) Each company and municipal utility included in section 12-
1440 264, other than an electric distribution company, as defined in section
1441 16-1, as amended by this act, included in subsection (c) of section 12-
1442 264, and other than a municipality, or department or agency thereof, or
1443 district manufacturing, selling or distributing electricity to be used for
1444 light, heat or power, shall be taxed at the rate of five per cent upon the
1445 amount of gross earnings in each taxable quarter from operations,
1446 except as set forth in subsection (c) or (d) of this section and except that
1447 each company and municipal utility manufacturing, selling or
1448 distributing gas or electricity to be used for light, heat or power shall
1449 be taxed at the rate of four per cent upon the amount of gross earnings
1450 in each taxable quarter allocable to residential service, but deduction
1451 shall be made of gross earnings (A) from all sales for resale of water,
1452 steam, gas and electricity to public service corporations and municipal
1453 utilities, whether or not such purchasers are Connecticut public service
1454 corporations or Connecticut municipal utilities, and whether or not
1455 they are subject to the tax imposed by this chapter, (B) from any
1456 federal BTU energy tax included in adjustment clause and base-rate
1457 revenues, (C) from sales of appliances using water, steam, gas or
1458 electricity by each such company of the net invoice price plus
1459 transportation costs of such appliances, (D) of electric distribution and
1460 gas companies, as defined in section 16-1, as amended by this act, from
1461 energy conservation loan programs, (E) from all sales for resale of gas
1462 to companies registered pursuant to section 16-258a, and (F) from all
1463 sales of natural gas to a user or entity located outside the state.

1464 (2) Gross earnings for any taxable quarter, for the purposes of
1465 assessment and taxation, shall be as follows: (A) In the case of a
1466 company or municipal utility, other than a municipality, or
1467 department or agency thereof, or district manufacturing, selling or
1468 distributing electricity to be used for light, heat or power, carrying on
1469 business or operating entirely within this state, the amount of gross
1470 earnings from operations; (B) in the case of a company or municipal
1471 utility, other than a municipality, or department or agency thereof, or
1472 district manufacturing, selling or distributing electricity to be used for
1473 light, heat or power, carrying on business or operations a part of which
1474 is outside of this state, (i) such portion of the amount of gross earnings
1475 from operations determined under the provisions of section 12-264 as
1476 is represented by the ratio of the number of miles of water or steam
1477 pipes, gas mains or electric wires operated by such company or
1478 municipal utility within this state on the first day and on the last day
1479 of the calendar year immediately preceding to the total number of
1480 miles of water or steam pipes, gas mains or electric wires operated by
1481 such company or municipal utility on said dates; or (ii) in the case of a
1482 company required to register pursuant to section 16-258a, such portion
1483 of the amount of gross earnings from operations determined under the
1484 provisions of section 12-264 as is represented by the ratio of the sales in
1485 this state to end users during such quarter to the total sales
1486 everywhere to end users during such quarter.

1487 Sec. 48. Subdivision (4) of subsection (b) of section 16-8 of the 2014
1488 supplement to the general statutes is repealed and the following is
1489 substituted in lieu thereof (*Effective from passage*):

1490 (4) A complete audit of each portion of each gas [, electric] company
1491 or electric distribution company having more than seventy-five
1492 thousand customers shall begin no less frequently than every six years,
1493 so that a complete audit of such a company's operations shall be
1494 performed every six years. Such an audit of each such company having
1495 more than seventy-five thousand customers shall be updated as
1496 required by the authority.

1497 Sec. 49. Subsection (a) of section 16-11a of the general statutes is
1498 repealed and the following is substituted in lieu thereof (*Effective from*
1499 *passage*):

1500 (a) There is established a Nuclear Energy Advisory Council which
1501 shall (1) hold regular public meetings for the purpose of discussing
1502 issues relating to the safety and operation of the nuclear power
1503 generating facilities located in this state and to advise the Governor,
1504 the General Assembly and municipalities within a five-mile radius of
1505 any nuclear power generating facility in this state of such issues, (2)
1506 work in conjunction with agencies of the federal, state and local
1507 governments [and with any electric company operating a nuclear
1508 power generating facility] to ensure the public health and safety, (3)
1509 discuss proposed changes in or problems arising from the operation of
1510 a nuclear power generating facility, (4) communicate with any
1511 [electric] company operating a nuclear power generating facility about
1512 safety or operational concerns at the facility, which communications
1513 may include, but not be limited to, receipt of written reports and
1514 presentations to the council, and (5) review the current status of
1515 facilities with the Nuclear Regulatory Commission.

1516 Sec. 50. Subsection (a) of section 16-19 of the 2014 supplement to the
1517 general statutes is repealed and the following is substituted in lieu
1518 thereof (*Effective from passage*):

1519 (a) No public service company may charge rates in excess of those
1520 previously approved by the Public Utilities Control Authority or the
1521 Public Utilities Regulatory Authority, except that any rate approved by
1522 the Public Utilities Commission, the Public Utilities Control Authority
1523 or the Public Utilities Regulatory Authority shall be permitted until
1524 amended by the Public Utilities Regulatory Authority, that rates not
1525 approved by the Public Utilities Regulatory Authority may be charged
1526 pursuant to subsection (b) of this section, and that the hearing
1527 requirements with respect to adjustment clauses are as set forth in
1528 section 16-19b, as amended by this act. For water companies, existing
1529 rates shall include the amount of any adjustments approved pursuant

1530 to section 16-262w since the company's most recent general rate case,
1531 provided any adjustment amount shall be separately identified in any
1532 customer bill. Each public service company shall file any proposed
1533 amendment of its existing rates with the authority in such form and in
1534 accordance with such reasonable regulations as the authority may
1535 prescribe. Each [electric,] electric distribution, gas or telephone
1536 company filing a proposed amendment shall also file with the
1537 authority an estimate of the effects of the amendment, for various
1538 levels of consumption, on the household budgets of high and
1539 moderate income customers and customers having household incomes
1540 not more than one hundred fifty per cent of the federal poverty level.
1541 Each [electric and] electric distribution company shall also file such an
1542 estimate for space heating customers. Each water company, except a
1543 water company that provides water to its customers less than six
1544 consecutive months in a calendar year, filing a proposed amendment,
1545 shall also file with the authority a plan for promoting water
1546 conservation by customers in such form and in accordance with a
1547 memorandum of understanding entered into by the authority
1548 pursuant to section 4-67e. Each public service company shall notify
1549 each customer who would be affected by the proposed amendment, by
1550 mail, at least one week prior to the first public hearing thereon, but not
1551 earlier than six weeks prior to such first public hearing, that an
1552 amendment has been or will be requested. Such notice shall also
1553 indicate (1) the date, time and location of any scheduled public
1554 hearing, (2) a statement that customers may provide written comments
1555 regarding the proposed amendment to the Public Utilities Regulatory
1556 Authority or appear in person at any scheduled public hearing, (3) the
1557 Public Utilities Regulatory Authority telephone number for obtaining
1558 information concerning the schedule for public hearings on the
1559 proposed amendment, and (4) whether the proposed amendment
1560 would, in the company's best estimate, increase any rate or charge by
1561 twenty per cent or more, and, if so, describe in general terms any such
1562 rate or charge and the amount of the proposed increase, provided no
1563 such company shall be required to provide more than one form of the
1564 notice to each class of its customers. In the case of a proposed

1565 amendment to the rates of any public service company, the authority
1566 shall hold one or more public hearings thereon, except as permitted
1567 with respect to interim rate amendments by subsections (d) and (g) of
1568 this section, and shall make such investigation of such proposed
1569 amendment of rates as is necessary to determine whether such rates
1570 conform to the principles and guidelines set forth in section 16-19e, as
1571 amended by this act, or are unreasonably discriminatory or more or
1572 less than just, reasonable and adequate, or that the service furnished by
1573 such company is inadequate to or in excess of public necessity and
1574 convenience. The authority, if in its opinion such action appears
1575 necessary or suitable in the public interest may, and, upon written
1576 petition or complaint of the state, under direction of the Governor,
1577 shall, make the aforesaid investigation of any such proposed
1578 amendment which does not involve an alteration in rates. If the
1579 authority finds any proposed amendment of rates to not conform to
1580 the principles and guidelines set forth in section 16-19e, as amended by
1581 this act, or to be unreasonably discriminatory or more or less than just,
1582 reasonable and adequate to enable such company to provide properly
1583 for the public convenience, necessity and welfare, or the service to be
1584 inadequate or excessive, it shall determine and prescribe, as
1585 appropriate, an adequate service to be furnished or just and reasonable
1586 maximum rates and charges to be made by such company. In the case
1587 of a proposed amendment filed by an [electric,] electric distribution,
1588 gas or telephone company, the authority shall also adjust the estimate
1589 filed under this subsection of the effects of the amendment on the
1590 household budgets of the company's customers, in accordance with the
1591 rates and charges approved by the authority. The authority shall issue
1592 a final decision on each rate filing within one hundred fifty days from
1593 the proposed effective date thereof, provided it may, before the end of
1594 such period and upon notifying all parties and intervenors to the
1595 proceedings, extend the period by thirty days.

1596 Sec. 51. Section 16-19a of the general statutes is repealed and the
1597 following is substituted in lieu thereof (*Effective from passage*):

1598 (a) (1) The Public Utilities Regulatory Authority shall, at intervals of

1599 not more than four years from the last previous general rate hearing of
1600 each gas [, electric] and electric distribution company having more
1601 than seventy-five thousand customers, conduct a complete review and
1602 investigation of the financial and operating records of each such
1603 company and hold a public hearing to determine whether the rates of
1604 each such company are unreasonably discriminatory or more or less
1605 than just, reasonable and adequate, or that the service furnished by
1606 such company is inadequate to or in excess of public necessity and
1607 convenience or that the rates do not conform to the principles and
1608 guidelines set forth in section 16-19e, as amended by this act. In
1609 making such determination, the authority shall consider the gross and
1610 net earnings of such company since its last previous general rate
1611 hearing, its retained earnings, its actual and proposed capital
1612 expenditures, its advertising expenses, the dividends paid to its
1613 stockholders, the rate of return paid on its preferred stock, bonds,
1614 debentures and other obligations, its credit rating, and such other
1615 financial and operating information as the authority may deem
1616 pertinent.

1617 (2) The authority may conduct a general rate hearing in accordance
1618 with subsection (a) of section 16-19, as amended by this act, in lieu of
1619 the periodic review and investigation proceedings required under
1620 subdivision (1) of this subsection.

1621 (b) In the proceeding required under subdivision (1) of subsection
1622 (a) of this section, the authority may approve performance-based
1623 incentives to encourage a gas or electric distribution company to
1624 operate efficiently and provide high quality service at fair and
1625 reasonable prices. Notwithstanding subsection (a) of this section, if the
1626 authority approves such performance-based incentives for a particular
1627 company, the authority shall include in such approval a framework for
1628 periodic monitoring and review of the company's performance in
1629 regard to criteria specified by the authority, which shall include, but
1630 not be limited to, the company's return on equity, reliability and
1631 quality of service. The authority's periodic monitoring and review shall
1632 be used in lieu of the periodic review and investigation proceedings

1633 required under subdivision (1) of subsection (a) of this section. If the
1634 authority determines in the periodic monitoring and review that a
1635 more extensive review of company performance is necessary, the
1636 authority may institute a further proceeding in accordance with the
1637 purposes of this chapter, including a complete review and
1638 investigation described in subdivision (1) of subsection (a) of this
1639 section.

1640 Sec. 52. Subsection (c) of section 16-19b of the 2014 supplement to
1641 the general statutes is repealed and the following is substituted in lieu
1642 thereof (*Effective from passage*):

1643 (c) If the authority, after notice and hearing, determines that the
1644 adoption of an energy adjustment clause would protect the interests of
1645 ratepayers of an electric distribution company, ensure economy and
1646 efficiency in energy production and purchase by the electric
1647 distribution company and achieve the objectives set forth in subsection
1648 (a) of section 16-19, as amended by this act, and in section 16-19e, as
1649 amended by this act, better than would the continued operation of a
1650 fuel adjustment clause and a generation utilization adjustment clause,
1651 the authority shall approve an energy adjustment clause to be
1652 superimposed upon the existing rate schedule of the electric
1653 distribution company. The authority shall design any such energy
1654 adjustment clause to reflect cost-efficient energy resource procurement
1655 and to recover the costs of energy that are proper for rate-making
1656 purposes and for which the authority has not authorized recovery
1657 through base rates. These costs, reflecting prudent and efficient
1658 management and operations, may include, but are not limited to, the
1659 costs of oil, gas, coal, nuclear fuel, wood or other fuels, and energy
1660 transactions with other utilities, nonutility generators or power pools,
1661 all or part of the cost of conservation and load management, and the
1662 gross earnings tax imposed by section 12-264 on the revenues from the
1663 energy sources subject to the energy adjustment clause. The authority
1664 shall design the energy adjustment clause to provide for recovery of
1665 energy costs prudently incurred by an electric distribution company in
1666 accordance with section 16-19e, as amended by this act.

1667 Notwithstanding the provisions of section 16-19, as amended by this
1668 act, the authority shall change an energy adjustment clause in
1669 accordance with the provisions of subsections (e) and (h) of this
1670 section. An energy adjustment clause approved pursuant to this
1671 section shall apply to all electric distribution companies similarly
1672 affected by the costs which form the basis for the adjustment clause.

1673 Sec. 53. Subsection (e) of section 16-19b of the 2014 supplement to
1674 the general statutes is repealed and the following is substituted in lieu
1675 thereof (*Effective from passage*):

1676 (e) No proposed purchased gas adjustment, energy adjustment
1677 charge or credit or transmission rate shall become effective until the
1678 Public Utilities Regulatory Authority has approved such charges or
1679 credits pursuant to an administrative proceeding. Such an
1680 administrative proceeding shall be open to the public and shall be
1681 convened within ten days of the filing of an application by an electric
1682 distribution or gas company requesting such a proceeding. Notice of
1683 such application and proceeding shall be published at least five days
1684 prior to such proceeding in a newspaper of general circulation in the
1685 area served by such company. The authority shall receive and consider
1686 comments of interested persons and members of the public at such a
1687 proceeding, which shall not be considered a contested case for
1688 purposes of title 4, this title or any regulation adopted thereunder. Any
1689 approval or denial of the authority pursuant to this subsection shall
1690 not be deemed an order, authorization or decision of the authority for
1691 purposes of section 16-35. After notice and hearing, the authority shall
1692 adopt regulations, in accordance with chapter 54, which shall include
1693 the requirements of the filing to support the requested charge or credit.
1694 Notwithstanding the provisions of this section, in the event that the
1695 authority has not rendered an approval or denial concerning any such
1696 application within five days of the day the administrative proceeding
1697 shall have been convened, the proposed charges or credits (1) shall
1698 become effective at the option of the company pending the authority's
1699 finding with respect to such charges, or (2) in the discretion of the
1700 authority, may become effective upon the filing by the company with

1701 the authority of an assurance. Such assurance may include a bond with
1702 surety, and shall satisfy the authority of the company's ability and
1703 willingness to refund to its customers any such amounts as the
1704 company may collect from them in excess of the charges approved by
1705 the authority in its finding.

1706 Sec. 54. Subsections (j) to (l), inclusive, of section 16-19b of the 2014
1707 supplement to the general statutes are repealed and the following is
1708 substituted in lieu thereof (*Effective from passage*):

1709 (j) Any purchased gas adjustment clause or energy adjustment
1710 clause approved by the authority may include a provision designed to
1711 allow the electric distribution or gas company to charge or reimburse
1712 the customer for any under-recovery or over-recovery of overhead and
1713 fixed costs due solely to the deviation of actual retail sales of electricity
1714 or gas from projected retail sales of electricity or gas. The authority
1715 shall include such provision in any energy adjustment clause approved
1716 for an electric distribution company if it determines (1) that a
1717 significant cause of excess earnings by the electric distribution
1718 company is an increase in actual retail sales of electricity over projected
1719 retail sales of electricity as determined at the time of the electric
1720 distribution company's most recent rate amendment, and (2) that such
1721 provision is likely to benefit the customers of the electric distribution
1722 company.

1723 [(k) Notwithstanding the provisions of this section, an approved
1724 fossil fuel adjustment clause or generation utilization adjustment
1725 clause in effect for an electric company on July 1, 1995, shall remain in
1726 effect in its form and method of operation as of said date until the
1727 authority has approved an energy adjustment clause for the company
1728 and the approved energy adjustment clause is in effect.]

1729 [(l)] (k) Notwithstanding the provisions of this section, upon the
1730 application of any gas company, the authority may modify, suspend or
1731 discontinue a purchased gas adjustment clause for one or more gas
1732 companies if the authority determines that as part of an overall
1733 performance-based rate plan, such modification, suspension or

1734 discontinuance will ensure safety and reliability, will provide
1735 substantial financial benefits to ratepayers at least equal to those
1736 provided to the gas company and will lower the rates below what they
1737 would be without such modification, suspension or discontinuance, as
1738 determined by the authority.

1739 Sec. 55. Subsection (b) of section 16-19d of the general statutes is
1740 repealed and the following is substituted in lieu thereof (*Effective from*
1741 *passage*):

1742 (b) The cost of political, institutional or promotional advertising of
1743 any gas [, electric] company or electric distribution company and the
1744 cost of political or institutional advertising of any telephone company
1745 shall not be deemed to be an operating expense in any rate schedule
1746 proceedings held pursuant to section 16-19, as amended by this act.
1747 For the purposes of this section, political, institutional or promotional
1748 advertising shall not be deemed to include reasonable expenditures for
1749 (1) the publication or distribution of existing or proposed tariffs or rate
1750 schedules; (2) notices required by law or regulation; (3) public
1751 information regarding service interruptions, safety measures,
1752 emergency conditions, employment opportunities or the means by
1753 which customers can conserve energy or make efficient and
1754 economical use of service; (4) the promotion or marketing of efficient
1755 gas and electric equipment which the Public Utilities Regulatory
1756 Authority determines: (A) Is consistent with the state's energy policy;
1757 (B) is consistent with integrated resource planning principles; (C)
1758 provides net economic benefit to such company's customers; and (D)
1759 shall not have the primary purpose of promoting one fuel over
1760 another; or (5) advertising by a gas company that is necessary as a
1761 result of competition created by actions and decisions of the Federal
1762 Energy Regulatory Commission and the Public Utilities Regulatory
1763 Authority. Such advertising shall be limited to the express purpose of
1764 promoting gas companies in competition with other providers and
1765 marketers of natural gas. Such advertising shall not include any
1766 promotions, cash, equipment, installation or service subsidies for the
1767 conversion to natural gas from any other energy source.

1768 Sec. 56. Subsection (f) of section 16-19d of the general statutes is
1769 repealed and the following is substituted in lieu thereof (*Effective from*
1770 *passage*):

1771 (f) Each gas [, electric] or electric distribution company shall
1772 conspicuously indicate in all of its advertising whether the costs of the
1773 advertising are being paid for by the company's shareholders, its
1774 customers or both.

1775 Sec. 57. Subsections (b) to (d), inclusive, of section 16-19e of the 2014
1776 supplement to the general statutes are repealed and the following is
1777 substituted in lieu thereof (*Effective from passage*):

1778 (b) The Public Utilities Regulatory Authority shall promptly
1779 undertake a separate, general investigation of, and shall hold at least
1780 one public hearing on new pricing principles and rate structures for
1781 electric distribution companies and for gas companies to consider,
1782 without limitation, long run incremental cost of marginal cost pricing,
1783 peak load or time of day pricing and proposals for optimizing the
1784 utilization of energy and restraining its wasteful use and encouraging
1785 energy conservation, and any other matter with respect to pricing
1786 principles and rate structures as the authority shall deem appropriate.
1787 The authority shall determine whether existing or future rate
1788 structures place an undue burden upon those persons of poverty
1789 status and shall make such adjustment in the rate structure as is
1790 necessary or desirable to take account of their indigency. The authority
1791 shall require the utilization of such new principles and structures to
1792 the extent that the authority determines that their implementation is in
1793 the public interest, as identified by the Department of Energy and
1794 Environmental Protection in the Integrated Resources Plan and the
1795 Comprehensive Energy Strategy, and necessary or desirable to
1796 accomplish the purposes of this provision without being unfair or
1797 discriminatory or unduly burdensome or disruptive to any group or
1798 class of customers, and determines that such principles and structures
1799 are capable of yielding required revenues. In reviewing the rates and
1800 rate structures of electric and gas companies, the authority shall be

1801 guided by the goals of the Department of Energy and Environmental
1802 Protection, as described in section 22a-2d, the Comprehensive Energy
1803 Strategy, the Integrated Resources Plan and the Conservation and
1804 Load Management Plan. The authority shall issue its initial findings on
1805 such investigation by December 1, 1976, and its final findings and
1806 order by June 1, 1977; provided that after such final findings and order
1807 are issued, the authority shall at least once every two years undertake
1808 such further investigations as it deems appropriate with respect to new
1809 developments or desirable modifications in pricing principles and rate
1810 structures and, after holding at least one public hearing thereon, shall
1811 issue its findings and order thereon.

1812 (c) The Department of Energy and Environmental Protection shall
1813 coordinate and integrate its actions, decisions and policies pertaining
1814 to gas and electric distribution companies, so far as possible, with the
1815 actions, decisions and policies of other agencies and instrumentalities
1816 in order to further the development and optimum use of the state's
1817 energy resources and conform to the greatest practicable extent with
1818 the state energy policy as stated in section 16a-35k, the Comprehensive
1819 Energy Strategy and the Integrated Resources Plan taking into account
1820 prudent management of the natural environment and continued
1821 promotion of economic development within the state. The department
1822 shall defer, as appropriate, to any actions taken by other agencies and
1823 instrumentalities on matters within their respective jurisdictions.

1824 (d) The Commissioner of Energy and Environmental Protection, the
1825 Commissioner of Economic and Community Development, and the
1826 Connecticut Siting Council may be made parties to each proceeding on
1827 a rate amendment proposed by a gas [, electric] or electric distribution
1828 company and shall participate in such proceedings to the extent
1829 necessary.

1830 Sec. 58. Section 16-19bb of the general statutes is repealed and the
1831 following is substituted in lieu thereof (*Effective from passage*):

1832 The Public Utilities Regulatory Authority shall require that any
1833 funds held by an [electric or] electric distribution company in excess of

1834 the company's authorized return on equity, which funds are intended
1835 by the authority to offset future rate increases in lieu of a present rate
1836 decrease, shall be applied to such rate increases or shall be refunded to
1837 the company's customers [not later than July 1, 1988. Any such funds
1838 collected by the company after July 1, 1988, shall be applied to offset
1839 such rate increases or refunded to the company's customers] within
1840 one year of receipt.

1841 Sec. 59. Section 16-19ee of the general statutes is repealed and the
1842 following is substituted in lieu thereof (*Effective from passage*):

1843 Each [electric or] electric distribution company [with more than
1844 seventy-five thousand customers,] shall, in its periodic report to the
1845 Public Utilities Regulatory Authority, concerning electrical outages,
1846 indicate which outages resulted from a power surge.

1847 Sec. 60. Subsection (a) of section 16-19ff of the 2014 supplement to
1848 the general statutes is repealed and the following is substituted in lieu
1849 thereof (*Effective from passage*):

1850 (a) Notwithstanding any provisions of the general statutes to the
1851 contrary, each [electric company or] electric distribution company shall
1852 allow the installation of submeters at (1) a recreational campground,
1853 (2) individual slips at marinas for metering the electric use by
1854 individual boat owners, (3) commercial, industrial, multifamily
1855 residential or multiuse buildings where the electric power or thermal
1856 energy is provided by a Class I renewable energy source, as defined in
1857 section 16-1, as amended by this act, or a combined heat and power
1858 system, as defined in section 16-1, as amended by this act, or (4) in any
1859 other location as approved by the authority where submetering
1860 promotes the state's energy goals, as described in the Comprehensive
1861 Energy Strategy, while protecting consumers against termination of
1862 residential utility service or other related issues. Each entity approved
1863 to submeter by the Public Utilities Regulatory Authority, pursuant to
1864 subsection (c) of this section, shall provide electricity to any allowed
1865 facility, as described in this subsection, at a rate no greater than the
1866 rate charged to that customer class for the service territory in which

1867 such allowed facility is located, provided nothing in this section shall
1868 permit such entity to charge a submetered account for (A) usage for
1869 any common areas of a commercial, industrial or multifamily
1870 residential building, or (B) other usage not solely for use by such
1871 account.

1872 Sec. 61. Subsection (b) of section 16-19hh of the 2014 supplement to
1873 the general statutes is repealed and the following is substituted in lieu
1874 thereof (*Effective from passage*):

1875 (b) Notwithstanding the provisions of subsection (a) of this section,
1876 an [electric company or] electric distribution company that (1)
1877 renegotiates, extends or renews any special contract for electric service
1878 that is in effect on July 1, 2000, and has a term that expires prior to July
1879 1, 2000, for a term that extends beyond June 30, 2000, or (2) enters into
1880 any new special contracts for electric service, shall provide in any such
1881 renegotiated, extended, renewed or new contract for the collection of
1882 the assessment required under section 16-245g, as amended by this act,
1883 as provided in said section 16-245g and for the collection of the charge
1884 required in section 16-245l, as amended by this act, as provided in said
1885 section 16-245l, provided no such contract shall shift costs to other
1886 ratepayers.

1887 Sec. 62. Subsections (a) and (b) of section 16-19kk of the 2014
1888 supplement to the general statutes are repealed and the following is
1889 substituted in lieu thereof (*Effective from passage*):

1890 (a) The General Assembly finds that if the earnings of electric, gas,
1891 telephone and water public service companies, as defined in section
1892 16-1, as amended by this act, are adversely affected by such companies'
1893 conservation and load management programs or other programs
1894 promoting the state's economic development, energy and other policy,
1895 those companies will have a disincentive to implement such programs.
1896 The General Assembly further finds that in order to further the
1897 implementation of such programs the earnings of electric, gas,
1898 telephone and water public service companies should be consistent
1899 with the principles and guidelines set forth in this section and sections

1900 16-19e, as amended by this act, and [16-19kk] 16-19ll to 16-19oo,
1901 inclusive, as amended by this act, and 16a-49 notwithstanding
1902 participation in conservation and load management programs and
1903 other programs authorized by the Public Utilities Regulatory
1904 Authority, promoting the state's economic development, energy and
1905 other policy.

1906 (b) [The authority shall complete, on or before December 31, 1991,
1907 an investigation into the relationship between a company's volume of
1908 sales and its earnings.] The authority shall, on or before July 1, 1993,
1909 implement rate-making and other procedures and practices in order to
1910 encourage the implementation of conservation and load management
1911 programs and other programs authorized by the authority promoting
1912 the state's economic development, energy and other policy. Such
1913 procedures to implement a modification or elimination of any direct
1914 relationship between the volume of sales and the earnings of electric,
1915 gas, telephone and water public service companies may include the
1916 adoption of a sales adjustment clause pursuant to subsection (j) of
1917 section 16-19b, as amended by this act, or other adjustment clause
1918 similar thereto. [The authority's investigation shall include a review of
1919 its regulations and policies to identify any existing disincentives to the
1920 development and implementation of cost effective conservation and
1921 load management programs and other programs promoting the state's
1922 economic development, energy and other policy.]

1923 Sec. 63. Section 16-19oo of the 2014 supplement to the general
1924 statutes is repealed and the following is substituted in lieu thereof
1925 (*Effective from passage*):

1926 In order to promote an electric distribution, gas, telephone and
1927 water company's conservation and load management programs or
1928 other programs promoting the state's economic development, energy
1929 and other policy, the Public Utilities Regulatory Authority may
1930 approve rate amendments for any such company, pursuant to
1931 subsection (a) of section 16-19, as amended by this act, or, upon the
1932 request of a company in a proceeding, other than a rate proceeding

1933 pursuant to said subsection. Upon filing by a gas company of a natural
1934 gas infrastructure expansion plan in accordance with section 16-19ww,
1935 the authority may approve in a contested proceeding new rate
1936 mechanisms to recover the costs of such plan.

1937 Sec. 64. Section 16-19rr of the general statutes is repealed and the
1938 following is substituted in lieu thereof (*Effective from passage*):

1939 Each [electric company, each] municipal electric utility established
1940 under chapter 101 and each electric utility owned, leased, maintained,
1941 operated, managed or controlled by any unit of local government
1942 under any general statute or special act shall, upon request, provide
1943 electricity and each electric distribution company shall, upon request,
1944 provide electric distribution services to military veterans' posts and
1945 organizations that are exempt from federal taxation under Section
1946 501(c) of the Internal Revenue Code of 1986, or any subsequent
1947 corresponding internal revenue code of the United States, as from time
1948 to time amended, at the lesser of the residential or commercial rate for
1949 the service territory in which the facility is located, provided such rates
1950 are not inconsistent with said chapter 101 or any municipal charter or
1951 ordinance adopted pursuant thereto, or with any such special act.

1952 Sec. 65. Section 16-19uu of the general statutes is repealed and the
1953 following is substituted in lieu thereof (*Effective from passage*):

1954 (a) At such time as economic recovery revenue bonds are issued to
1955 fund the economic recovery transfer, the Public Utilities Regulatory
1956 Authority shall ensure that the competitive transition assessment
1957 charged to customers of each [electric company or] electric distribution
1958 company is adjusted to reflect the lower charge to be paid by
1959 customers. No [electric company or] electric distribution company may
1960 bill any customer an amount for the competitive transition assessment
1961 that is in excess of the amount necessary to fund the economic
1962 recovery transfer.

1963 (b) At such time as the competitive transition assessment charged to
1964 customers has allowed full or partial recovery by the financing entity

1965 of any economic recovery revenue bonds and full or partial recovery
1966 by the [electric company or] electric distribution company of stranded
1967 costs not funded with the proceeds of economic recovery revenue
1968 bonds, the authority shall ensure that the competitive transition
1969 assessment charged to customers of each [electric company or] electric
1970 distribution company is adjusted to reflect, in the case of a partial
1971 recovery, the lower charge to be paid by customers, and, in the case of
1972 a full recovery, the absence of such assessment. No [electric company
1973 or] electric distribution company may bill any customer an amount for
1974 the competitive transition assessment that is in excess of the amount
1975 necessary to fund economic recovery revenue bonds or stranded costs.

1976 Sec. 66. Subsection (a) of section 16-32c of the general statutes is
1977 repealed and the following is substituted in lieu thereof (*Effective from*
1978 *passage*):

1979 (a) Notwithstanding the provisions of section 16-19, as amended by
1980 this act, a water company, as defined in section 16-1, as amended by
1981 this act, may charge rates in excess of or less than those approved by
1982 the Public Utilities Regulatory Authority, after a limited hearing as
1983 deemed appropriate by the authority, by adjusting existing rates to
1984 compensate for increases or decreases only in the company's following
1985 expenses: (1) The price of water purchased for redistribution to its
1986 customers from another water company or governmental authority
1987 whose rates have been adjusted; (2) the price of gas or electricity
1988 purchased from a gas [, electric] or electric distribution company,
1989 electric supplier or governmental authority whose rates have been
1990 adjusted; (3) federal, state and local taxes or other government
1991 assessments on revenue, income or property; (4) fees charged by any
1992 federal or state agency or other government entity that has jurisdiction
1993 over the company; (5) fees, or changes in fees, charged for federal and
1994 state mandated monitoring of the quality of the company's water
1995 supply; and (6) changes in expenses due to inflation that, in the
1996 opinion of the authority, are subject to an inflation adjustment in rate
1997 schedule proceedings held pursuant to section 16-19, as amended by
1998 this act. The amount of any adjustment of rates shall not exceed the

1999 aggregate net amount of increases and decreases in the expenses set
2000 forth in this subsection on an annualized basis, provided that such
2001 adjustment shall not cause the company's projected return on equity
2002 for the following twelve-month period to exceed the return on equity
2003 authorized in the company's most recent proceeding for an
2004 amendment of rates pursuant to section 16-19, as amended by this act.
2005 A company may adjust its rates pursuant to this section only (A) when
2006 the aggregate effect of increases or decreases in such expenses equals
2007 or exceeds one half of one per cent of the company's operating
2008 revenues for the twelve-month period commencing after the authority
2009 issued a decision on the company's most recent application for an
2010 amendment of rates pursuant to section 16-19, as amended by this act,
2011 and (B) once in any twelve-month period. A company shall not adjust
2012 its rates pursuant to this section in any twelve-month period following
2013 approval of an amendment of rates by the authority pursuant to
2014 section 16-19, as amended by this act.

2015 Sec. 67. Section 16-32g of the general statutes is repealed and the
2016 following is substituted in lieu thereof (*Effective from passage*):

2017 Not later than January 1, 2008, and annually thereafter, each [electric
2018 or] electric distribution company shall submit to the Public Utilities
2019 Regulatory Authority a plan for the maintenance of poles, wires,
2020 conduits or other fixtures, along public highways or streets for the
2021 transmission or distribution of electric current, owned, operated,
2022 managed or controlled by such company, in such format as the
2023 authority shall prescribe. Such plan shall include a summary of
2024 appropriate staffing levels necessary for the maintenance of said
2025 fixtures and a program for the trimming of tree branches and limbs
2026 located in close proximity to overhead electric wires where such
2027 branches and limbs may cause damage to such electric wires. The
2028 authority shall review each plan and may issue such orders as may be
2029 necessary to ensure compliance with this section. The authority may
2030 require each [electric or] electric distribution company to submit an
2031 updated plan at such time and containing such information as the
2032 authority may prescribe. The authority shall adopt regulations, in

2033 accordance with the provisions of chapter 54, to carry out the
2034 provisions of this section.

2035 Sec. 68. Subdivision (7) of subsection (d) of section 16-32h of the
2036 general statutes is repealed and the following is substituted in lieu
2037 thereof (*Effective from passage*):

2038 (7) Tree trimming, cutting and removal by each [electric company
2039 and] electric distribution company to reduce service outages caused by
2040 trees and limbs;

2041 Sec. 69. Section 16-47 of the general statutes is repealed and the
2042 following is substituted in lieu thereof (*Effective from passage*):

2043 (a) As used in this section and section 16-47a, (1) "holding company"
2044 means any corporation, association, partnership, trust or similar
2045 organization, or person which, either alone or in conjunction and
2046 pursuant to an arrangement or understanding with one or more other
2047 corporations, associations, partnerships, trusts or similar
2048 organizations, or persons, directly or indirectly, controls a gas,
2049 [electric,] electric distribution, water, telephone or community antenna
2050 television company, and (2) "control" means the possession of the
2051 power to direct or cause the direction of the management and policies
2052 of a gas, [electric,] electric distribution, water, telephone or community
2053 antenna television company or a holding company, whether through
2054 the ownership of its voting securities, the ability to effect a change in
2055 the composition of its board of directors or otherwise, provided,
2056 control shall not be deemed to arise solely from a revocable proxy or
2057 consent given to a person in response to a public proxy or consent
2058 solicitation made pursuant to and in accordance with the applicable
2059 rules and regulations of the Securities Exchange Act of 1934 unless a
2060 participant in said solicitation has announced an intention to effect a
2061 merger or consolidation with, reorganization, or other business
2062 combination or extraordinary transaction involving the gas, [electric,]
2063 electric distribution, water, telephone or community antenna television
2064 company or the holding company. Control shall be presumed to exist
2065 if a person directly or indirectly owns ten per cent or more of the

2066 voting securities of a gas, [electric,] electric distribution, water,
2067 telephone or community antenna television company or a holding
2068 company, provided the authority may determine, after conducting a
2069 hearing, that said presumption of control has been rebutted by a
2070 showing that such ownership does not in fact confer control.

2071 (b) No gas, [electric,] electric distribution, water, telephone or
2072 community antenna television company, or holding company, or any
2073 official, board or commission purporting to act under any
2074 governmental authority other than that of this state or of its divisions,
2075 municipal corporations or courts, shall interfere or attempt to interfere
2076 with or, directly or indirectly, exercise or attempt to exercise authority
2077 or control over any gas, [electric,] electric distribution, water,
2078 telephone or community antenna television company engaged in the
2079 business of supplying service within this state, or with or over any
2080 holding company doing the principal part of its business within this
2081 state, without first making written application to and obtaining the
2082 approval of the Public Utilities Regulatory Authority, except as the
2083 United States may properly regulate actual transactions in interstate
2084 commerce.

2085 (c) No corporation, association, partnership, trust or similar
2086 organization, or person shall take any action that causes it to become a
2087 holding company with control over a gas, [electric,] electric
2088 distribution, water, telephone or community antenna television
2089 company engaged in the business of supplying service within this
2090 state, or acquire, directly or indirectly, control over such a holding
2091 company, or take any action that would if successful cause it to
2092 become or to acquire control over such a holding company, without
2093 first making written application to and obtaining the approval of the
2094 authority. Any such corporation, association, partnership, trust or
2095 similar organization, or person applying to the authority for such
2096 approval shall pay the reasonable expenses incurred by the authority
2097 in carrying out its duties under this subsection, and accordingly, shall
2098 deposit with the authority a bond, executed by a surety company
2099 authorized to do business in this state, in the amount of fifty thousand

2100 dollars, conditioned to indemnify the authority for such expenses.

2101 (d) The Public Utilities Regulatory Authority shall investigate and
2102 hold a public hearing on the question of granting its approval with
2103 respect to any application made under subsection (b) or (c) of this
2104 section and thereafter may approve or disapprove any such
2105 application in whole or in part and upon such terms and conditions as
2106 it deems necessary or appropriate. In connection with its investigation,
2107 the authority may request the views of the gas, [electric,] electric
2108 distribution, water, telephone or community antenna television
2109 company or holding company which is the subject of the application
2110 with respect to the proposed acquisition. After the filing of an
2111 application satisfying the requirements of such regulations as the
2112 authority may adopt in accordance with the provisions of chapter 54,
2113 but not later than thirty business days after the filing of such
2114 application, the authority shall give prompt notice of the public
2115 hearing to the person required to file the application and to the subject
2116 company or holding company. Such hearing shall be commenced as
2117 promptly as practicable after the filing of the application, but not later
2118 than thirty business days after the filing, and the authority shall make
2119 its determination as soon as practicable, but not later than one hundred
2120 twenty days after the filing of the application unless the person
2121 required to file the application agrees to an extension of time. The
2122 authority may, in its discretion, grant the subject company or holding
2123 company the opportunity to participate in the hearing by presenting
2124 evidence and oral and written argument. If the authority fails to give
2125 notice of its determination to hold a hearing, commence the hearing, or
2126 render its determination after the hearing within the time limits
2127 specified in this subdivision, the proposed acquisition shall be deemed
2128 approved. In each proceeding on a written application submitted
2129 under said subsection (b) or (c), the authority shall, in a manner which
2130 treats all parties to the proceeding on an equal basis, take into
2131 consideration (1) the financial, technological and managerial suitability
2132 and responsibility of the applicant, (2) the ability of the gas, [electric,]
2133 electric distribution, water, telephone or community antenna television
2134 company or holding company which is the subject of the application to

2135 provide safe, adequate and reliable service to the public through the
2136 company's plant, equipment and manner of operation if the
2137 application were to be approved, and (3) for an application concerning
2138 a telephone company, the effect of approval on the location and
2139 accessibility of management and operations and on the proportion and
2140 number of state resident employees.

2141 (e) During any proceeding under subsection (b) or (c) of this section,
2142 the authority may order any party to such proceeding and the officers,
2143 directors, employees and agents of such party to refrain for a specific
2144 time period from communicating, directly or indirectly, with the
2145 record and beneficial owners of securities of the gas, [electric,] electric
2146 distribution, water, telephone or community antenna television
2147 company or holding company which is the subject of such
2148 proceedings, in regard to the matters submitted to the authority for its
2149 approval under said subsection (b) or (c). If the authority issues such
2150 an order, it shall also order all other parties to the proceeding and the
2151 officers, directors, employees and agents of such parties to refrain for
2152 the same time period from communicating, directly or indirectly, with
2153 such record and beneficial owners of such securities, in regard to such
2154 matters. No order issued pursuant to this subsection shall prohibit any
2155 party from complying with disclosure and reporting obligations under
2156 any other provision of the general statutes or under federal law.

2157 (f) Each holding company shall, not later than three months after the
2158 close of its fiscal year, annually, file with the authority a copy of its
2159 annual report to stockholders for such fiscal year. If the holding
2160 company does not print such an annual report, it shall file instead, not
2161 later than the same date, a comprehensive audit and report of its
2162 accounts and operations prepared by an independent public
2163 accounting firm approved by the authority. The provisions of this
2164 subsection shall not apply to any holding company in the form of a
2165 person.

2166 (g) Any action contrary to the provisions of subsections (b) or (c) of
2167 this section shall be voidable on order of the authority.

2168 (h) Whenever any corporation, association, partnership, trust or
2169 similar organization, or person takes or engages in any action which
2170 may or would violate subsection (b) or (c) of this section or any order
2171 adopted pursuant to said subsection (b) or (c), the Superior Court,
2172 upon application of the authority or any holding company or gas,
2173 [electric,] electric distribution, water, telephone or community antenna
2174 television company affected by such action, may enjoin any such
2175 corporation, association, partnership, trust or similar organization, or
2176 person from continuing or doing any act in violation of said subsection
2177 (b) or (c) or may otherwise enforce compliance with said subsection (b)
2178 or (c), including but not limited to, the reinstatement of authority or
2179 control over the holding company or gas, [electric,] electric
2180 distribution, water, telephone or community antenna television
2181 company or holding company to those persons who exercised
2182 authority or control over such company before such action.

2183 (i) The provisions of this section shall not be construed to require
2184 any person to make written application to or obtain the approval of the
2185 authority with respect to any telephone company or holding company
2186 of a telephone company over which such person exercises authority or
2187 control or operates as a holding company on June 30, 1987.

2188 Sec. 70. Subsection (f) of section 16-50i of the general statutes is
2189 repealed and the following is substituted in lieu thereof (*Effective from*
2190 *passage*):

2191 (f) "Emergency generating device" means an electric generating
2192 device with a generating capacity of five megawatts or less, installed
2193 primarily for the purpose of producing emergency backup electrical
2194 power for not more than five hundred hours per year, and that (1)
2195 does not have a substantial adverse environmental effect, as
2196 determined by the council, or (2) is owned and operated by an entity
2197 other than an [electric,] electric distribution or gas company, or (3) is
2198 under construction or in operation prior to May 2, 1989; and

2199 Sec. 71. Subsection (b) of section 16-50l of the general statutes is
2200 repealed and the following is substituted in lieu thereof (*Effective from*

2201 *passage*):

2202 (b) Each application shall be accompanied by proof of service of a
2203 copy of such application on: (1) Each municipality in which any
2204 portion of such facility is to be located, both as primarily proposed and
2205 in the alternative locations listed, and any adjoining municipality
2206 having a boundary not more than two thousand five hundred feet
2207 from such facility, which copy shall be served on the chief executive
2208 officer of each such municipality and shall include notice of the date on
2209 or about which the application is to be filed, and the zoning
2210 commissions, planning commissions, planning and zoning
2211 commissions, conservation commissions and inland wetlands agencies
2212 of each such municipality, and the regional planning agencies which
2213 encompass each such municipality; (2) the Attorney General; (3) each
2214 member of the legislature in whose assembly or senate district the
2215 facility or any alternative location listed in the application is to be
2216 located; (4) any agency, department or instrumentality of the federal
2217 government that has jurisdiction, whether concurrent with the state or
2218 otherwise, over any matter that would be affected by such facility; (5)
2219 each state department, agency and commission named in subsection
2220 (h) of section 16-50j, as amended by this act; and (6) such other state
2221 and municipal bodies as the council may by regulation designate. A
2222 notice of such application shall be given to the general public, in
2223 municipalities entitled to receive notice under subdivision (1) of this
2224 subsection, by the publication of a summary of such application and
2225 the date on or about which it will be filed. Such notice shall be
2226 published under the regulations to be promulgated by the council, in
2227 such form and in such newspapers as will serve substantially to inform
2228 the public of such application and to afford interested persons
2229 sufficient time to prepare for and to be heard at the hearing prescribed
2230 in section 16-50m. Such notice shall be published in not less than ten-
2231 point type. A notice of such an application for a certificate for a facility
2232 described in subdivision (3), (4), (5) or (6) of subsection (a) of section
2233 16-50i shall also be sent, by certified or registered mail, to each person
2234 appearing of record as an owner of property which abuts the proposed
2235 primary or alternative sites on which the facility would be located.

2236 Such notice shall be sent at the same time that notice of such
2237 application is given to the general public. Notice of an application for a
2238 certificate for a facility described in subdivision (1) of subsection (a) of
2239 section 16-50i shall also be provided to each [electric company or]
2240 electric distribution company customer in the municipality where the
2241 facility is proposed to be placed. Such notice shall (A) be provided on a
2242 separate enclosure with each customer's monthly bill for one or more
2243 months, (B) be provided by the [electric company or] electric
2244 distribution company not earlier than sixty days prior to filing the
2245 application with the council, but not later than the date that the
2246 application is filed with the council, and (C) include: A brief
2247 description of the project, including its location relative to the affected
2248 municipality and adjacent streets; a brief technical description of the
2249 project including its proposed length, voltage, and type and range of
2250 heights of support structures or underground configuration; the reason
2251 for the project; the address and a toll-free telephone number of the
2252 applicant by which additional information about the project can be
2253 obtained; and a statement in print no smaller than twenty-four-point
2254 type size stating "NOTICE OF PROPOSED CONSTRUCTION OF A
2255 HIGH VOLTAGE ELECTRIC TRANSMISSION LINE".

2256 Sec. 72. Section 16-232 of the general statutes is repealed and the
2257 following is substituted in lieu thereof (*Effective from passage*):

2258 No electric [light or electric power] distribution company organized
2259 under any former joint stock law of this state shall use or occupy any
2260 highway or public grounds or be entitled to the powers or privileges
2261 enumerated in this chapter, without special authority from the General
2262 Assembly.

2263 Sec. 73. Subsection (a) of section 16-234 of the 2014 supplement to
2264 the general statutes is repealed and the following is substituted in lieu
2265 thereof (*Effective from passage*):

2266 (a) As used in this section:

2267 (1) "Utility" means a telephone, telecommunications [, electric] or

2268 electric distribution company, each as defined in section 16-1, as
2269 amended by this act;

2270 (2) "Utility protection zone" means any rectangular area extending
2271 horizontally for a distance of eight feet from any outermost electrical
2272 conductor or wire installed from pole to pole and vertically from the
2273 ground to the sky;

2274 (3) "Hazardous tree" means any tree or part of a tree that is (A)
2275 dead, (B) extensively decayed, or (C) structurally weak, which, if it
2276 falls, would endanger utility infrastructure, facilities or equipment;

2277 (4) "Vegetation management" means pruning or removal of trees,
2278 shrubs or other vegetation that pose a risk to the reliability of the
2279 utility infrastructure, and the retention of trees and shrubs that are
2280 compatible with the utility infrastructure. Until such time as the
2281 Department of Energy and Environmental Protection issues standards
2282 for identifying such compatible trees and shrubs, the standards and
2283 identification of such compatible trees and shrubs shall be as set forth
2284 in the 2012 final report of the State Vegetation Management Task
2285 Force; and

2286 (5) "Pruning" means the selective removal of plant parts to meet
2287 specific goals and objectives, when performed according to current
2288 professional tree care standards.

2289 Sec. 74. Subsection (f) of section 16-243a of the general statutes is
2290 repealed and the following is substituted in lieu thereof (*Effective from*
2291 *passage*):

2292 (f) If a private power producer believes that an electric distribution
2293 company has violated any provision of this section it may submit a
2294 written petition alleging such violation to the authority. Upon receipt
2295 of the petition, the authority shall fix a time and place for a hearing
2296 and mail notice of the hearing to the parties in interest at least one
2297 week in advance. Upon the hearing, the authority may, if it finds the
2298 company has violated any such provision, prescribe the manner in

2299 which it shall comply.

2300 Sec. 75. Section 16-243c of the general statutes is repealed and the
2301 following is substituted in lieu thereof (*Effective from passage*):

2302 The Public Utilities Regulatory Authority may issue orders
2303 requiring electric distribution companies to provide, within their
2304 service areas, electricity transmission and distribution services
2305 between a generating facility operated by an electric cooperative under
2306 subsection (b) of section 33-219 and those members of the cooperative
2307 operating the facility to whom the cooperative is authorized to furnish
2308 electricity under subsection (d) of section 33-221, as amended by this
2309 act, and governing the rates for the service. The authority may not
2310 issue any order under this subsection which would significantly
2311 impair the ability of an electric distribution company to perform its
2312 responsibilities to the public or would otherwise be contrary to the
2313 purposes of this title.

2314 Sec. 76. Section 16-243e of the 2014 supplement to the general
2315 statutes is repealed and the following is substituted in lieu thereof
2316 (*Effective from passage*):

2317 (a) Except as provided in subsection (b) of this section, any electric
2318 distribution company, as defined in section 16-1, as amended by this
2319 act, that, prior to July 6, 2007, purchased electricity generated by a
2320 resources recovery facility, as defined in section 22a-260, owned by, or
2321 operated by or for the benefit of, a municipality or municipalities,
2322 pursuant to a contract with the owner of such facility requiring the
2323 electric distribution company to purchase all of the electricity
2324 generated at such facility from waste that originated in the franchise
2325 area of the electric distribution company, for a period beginning on the
2326 date that the facility began generating electricity and having a duration
2327 of not less than twenty years, at the same rate that the electric
2328 distribution company charges the municipality or municipalities for
2329 electricity, shall pay the rate set forth in the contract or, for contracts
2330 entered into and approved during calendar year 1999, the rate
2331 established by the authority, for the remaining period of the contract.

2332 No [electric company or] electric distribution company shall be
2333 required to enter into such a contract on or after July 6, 2007.

2334 (b) Not later than October 1, 2000, and annually thereafter, the
2335 authority shall calculate the difference between the amount paid by the
2336 [successor] electric distribution company pursuant to each such
2337 contract in effect during the preceding fiscal year for electricity
2338 generated at the facility from waste that originated within such
2339 franchise area and the amount that would have been paid had the
2340 company been obligated to pay the rate in effect during calendar year
2341 1999, as determined by the authority. The difference, if positive, shall
2342 be recovered through the systems benefits charge established under
2343 section 16-245l, as amended by this act, and remitted to the regional
2344 resource recovery authority acting on behalf of member municipalities.

2345 Sec. 77. Section 16-243g of the general statutes is repealed and the
2346 following is substituted in lieu thereof (*Effective from passage*):

2347 Notwithstanding any provision of the general statutes or of any
2348 special act to the contrary, no electric distribution company, as defined
2349 in section 16-1, as amended by this act, municipal electric energy
2350 cooperative established under chapter 101a or municipal electric utility
2351 established under chapter 101 which has entered into a contract to
2352 purchase electricity from a private power producer, as defined in
2353 section 16-243b, shall refuse or neglect to execute an assignment of an
2354 electricity purchase agreement or contract to a trustee as security for or
2355 protection of bonds issued to refinance outstanding bonds originally
2356 issued or reissued to finance the major portion of the costs of the
2357 acquisition, construction and installation of a private power
2358 production facility, as defined in section 16-243b.

2359 Sec. 78. Section 16-243z of the 2014 supplement to the general
2360 statutes is repealed and the following is substituted in lieu thereof
2361 (*Effective from passage*):

2362 (a) For purposes of this section, "regional planning agency" and
2363 "regional council of elected officials" have the same meanings as

2364 provided in section 4-124i, "regional council of governments" has the
2365 same meaning as "council" in section 4-124i and ["electric company"
2366 and] "electric distribution company" [have] has the same [meanings]
2367 meaning as provided in section 16-1, as amended by this act.

2368 (b) Upon the request of the geographic information systems or
2369 geospatial information systems analyst or coordinator, or any
2370 equivalent official, of any municipality or of any regional planning
2371 agency, regional council of elected officials or regional council of
2372 governments, an [electric company or] electric distribution company
2373 shall provide to such analyst, coordinator or official any geographic
2374 information systems or geospatial information systems data for such
2375 [electric or] electric distribution company's service area identifying
2376 utility pole data for poles owned or jointly owned by such company in
2377 such municipality or the area served by such regional planning
2378 agency, regional council of elected officials or regional council of
2379 governments. Such data shall include pole ownership, identification
2380 number, XY coordinate location, pole height, pole classification and
2381 wattage size of street lights or post lights.

2382 (c) Upon the request of a municipality for public safety reasons
2383 during an emergency, an [electric company or] electric distribution
2384 company may provide to such municipality the location of electric
2385 service accounts that are coded by such company as medical hardship
2386 accounts within such municipality.

2387 (d) Prior to receipt of data from an [electric company or] electric
2388 distribution company under this section, a municipality, regional
2389 planning agency, regional council of elected officials or regional
2390 council of governments shall demonstrate to such company that it has
2391 implemented appropriate procedures to protect the confidentiality of
2392 the information. Any data provided by such company to a
2393 municipality, regional planning agency, regional council of elected
2394 officials or regional council of governments pursuant to this section
2395 shall be used by such entity for internal use only, and shall not be
2396 publicly disclosed by the municipality, regional planning agency,

2397 regional council of elected officials or regional council of governments
2398 or be subject to any public disclosure requirement without the prior
2399 consent of the [electric company or] electric distribution company, as
2400 applicable, and shall be exempt from disclosure under the Freedom of
2401 Information Act, as defined in section 1-200.

2402 Sec. 79. Section 16-243z of the 2014 supplement to the general
2403 statutes, as amended by section 292 of public act 13-247, is repealed
2404 and the following is substituted in lieu thereof (*Effective January 1,*
2405 *2015*):

2406 (a) For purposes of this section, "regional council of governments"
2407 has the same meaning as "council" in section 4-124i, and ["electric
2408 company" and] "electric distribution company" [have] has the same
2409 [meanings] meaning as provided in section 16-1, as amended by this
2410 act.

2411 (b) Upon the request of the geographic information systems or
2412 geospatial information systems analyst or coordinator, or any
2413 equivalent official, of any municipality or regional council of
2414 governments, an [electric company or] electric distribution company
2415 shall provide to such analyst, coordinator or official any geographic
2416 information systems or geospatial information systems data for such
2417 electric or electric distribution company's service area identifying
2418 utility pole data for poles owned or jointly owned by such company in
2419 such municipality or the area served by such regional council of
2420 governments. Such data shall include pole ownership, identification
2421 number, XY coordinate location, pole height, pole classification and
2422 wattage size of street lights or post lights.

2423 (c) Upon the request of a municipality for public safety reasons
2424 during an emergency, an [electric company or] electric distribution
2425 company may provide to such municipality the location of electric
2426 service accounts that are coded by such company as medical hardship
2427 accounts within such municipality.

2428 (d) Prior to receipt of data from an [electric company or] electric

2429 distribution company under this section, a municipality or regional
2430 council of governments shall demonstrate to such company that it has
2431 implemented appropriate procedures to protect the confidentiality of
2432 the information. Any data provided by such company to a
2433 municipality or regional council of governments pursuant to this
2434 section shall be used by such entity for internal use only, and shall not
2435 be publicly disclosed by the municipality or regional council of
2436 governments or be subject to any public disclosure requirement
2437 without the prior consent of the [electric company or] electric
2438 distribution company [, as applicable,] and shall be exempt from
2439 disclosure under the Freedom of Information Act, as defined in section
2440 1-200.

2441 Sec. 80. Section 16-243aa of the 2014 supplement to the general
2442 statutes is repealed and the following is substituted in lieu thereof
2443 (*Effective from passage*):

2444 The Public Utilities Regulatory Authority shall authorize any
2445 municipality or state or federal governmental entity that owns,
2446 operates or leases any Class I renewable energy source, as defined in
2447 section 16-1, as amended by this act, Class III source, as defined in
2448 section 16-1, as amended by this act, or generation source under five
2449 megawatts, to independently distribute electricity generated from any
2450 such source across a public highway or street, provided (1) any such
2451 source is connected to a municipal microgrid, as defined in subdivision
2452 (5) of subsection (a) of section 16-243y, and (2) to ensure the reliability
2453 and availability of the microgrid delivery system and the safety of the
2454 public, such municipality or state or federal governmental entity shall
2455 engage the applicable electric distribution company, as defined in
2456 section 16-1, as amended by this act, to complete the interconnection of
2457 such microgrid to the electric grid in accordance with the authority's
2458 interconnection standards. For purposes of this section, any such
2459 municipality or governmental entity shall not be considered an electric
2460 distribution company, as defined in section 16-1, as amended by this
2461 act.

2462 Sec. 81. Section 16-244e of the 2014 supplement to the general
2463 statutes is repealed and the following is substituted in lieu thereof
2464 (*Effective from passage*):

2465 [(a) (1) Not later than October 1, 1998, each electric company shall
2466 submit an unbundling plan to the authority to unbundle and separate,
2467 by October 1, 1999, all the company's generation assets that (A) prior to
2468 the date when the authority approves a divestiture plan pursuant to
2469 section 16-244f or 16-244g, are not sold in accordance with section 16-
2470 43, and (B) on and after the date when the authority approves such
2471 plan, will not be divested as of January 1, 2000, in accordance with
2472 sections 16-244f and 16-244g.

2473 (2) For any nonnuclear generation asset that will not be divested by
2474 January 1, 2000, unbundling and separation shall occur by transfer on
2475 a functional basis to one or more corporate affiliates that are legally
2476 separate from the company's transmission and distribution assets and
2477 all related operations and functions, in which case, no stranded costs
2478 shall be recovered.

2479 (3) For any nuclear generation asset that will not be sold by January
2480 1, 2000, unbundling and separation shall occur by (A) divestiture
2481 pursuant to section 16-244g, (B) transfer on a functional basis to one or
2482 more corporate affiliates that are legally separate from the company's
2483 transmission and distribution assets and all related operations and
2484 functions, or (C) if required to comply with rules, regulations or
2485 licensing requirements of the United States Nuclear Regulatory
2486 Commission, transfer on a functional basis to one or more divisions
2487 that are structurally separate from the electric distribution company.

2488 (4) The unbundling plan and order shall provide for the allocation
2489 of the rights and responsibilities pursuant to sections 16-245e to 16-
2490 245k, inclusive, between the electric distribution company and any
2491 generation entities or affiliates and shall provide for the allocation of
2492 revenue under a special contract among those components of a
2493 customer's bill specified in subdivision (1) of subsection (a) of section
2494 16-245d. Such plan shall include a proposed modification or

2495 elimination to the adjustment pursuant to section 16-19b. Such plan
2496 shall not allow the transfer of assets or liabilities allocable or belonging
2497 to transmission or distribution functions or facilities to the generation
2498 entity or affiliate of an electric company, nor allow the transfer of
2499 assets or liabilities, other than financial assets or liabilities to be funded
2500 by the competitive transition assessment pursuant to section 16-245g
2501 or the systems benefits charge pursuant to section 16-245l, allocable or
2502 belonging to generation functions or facilities to the electric
2503 distribution company, as defined in section 16-1, unless federal law or
2504 regulation requires such a transfer with regard to nuclear generation
2505 assets. All entitlements and obligations from any purchased power
2506 contract or independent power producer contract entered into before
2507 July 1, 1998, by the predecessor electric company which are not bought
2508 out shall succeed to the electric distribution company. Such plan shall
2509 include a discussion of the impacts of the proposed plan on the
2510 company's employees and plans for mitigating such impact.

2511 (5) The authority shall hold a hearing and issue a final order
2512 approving or modifying the plan in a time frame that will allow
2513 unbundling to be accomplished by October 1, 1999. Any hearing shall
2514 be conducted as a contested case in accordance with chapter 54. Such
2515 plan shall be submitted and such order issued consistent with the
2516 determination and implementation of the competitive transition
2517 assessment, as provided in section 16-245g.

2518 (6) Once unbundling is completed to the satisfaction of the authority
2519 and consistent with the provisions of section 16-244, (A) any corporate
2520 affiliate or separate division that provides electric generation services
2521 as a result of unbundling pursuant to this subsection shall be
2522 considered a generation entity or affiliate of the electric company, and
2523 the division or corporate affiliate of the electric company that provides
2524 transmission and distribution services shall be considered an electric
2525 distribution company, and (B) an] An electric distribution company
2526 shall not own or operate generation assets, except as provided in this
2527 section and sections 16-43d, as amended by this act, 16-243m, as
2528 amended by this act, 16-243u, 16a-3b and 16a-3c.

2529 [(b) Not later than August 1, 1998, the Public Utilities Regulatory
2530 Authority shall hold a hearing and issue a final order that unbundles
2531 prices or rates for electric generation services for each electric company
2532 from all other charges. Any hearing shall be conducted as a contested
2533 case in accordance with chapter 54. On and after July 1, 1999, each
2534 electric company or electric distribution company, as the case may be,
2535 shall provide all customers with a bill that separates the electric
2536 generation services component of those charges.]

2537 Sec. 82. Subsection (a) of section 16-244g of the general statutes is
2538 repealed and the following is substituted in lieu thereof (*Effective from*
2539 *passage*):

2540 (a) As used in this section, "generation assets" means ["generation
2541 assets", as defined in section 16-244f] electric generation facilities and
2542 generation-related operations and functions owned by an electric
2543 distribution company and includes associated contractual obligations
2544 for energy or capacity from such generation assets, and "net proceeds"
2545 means ["net proceeds", as defined in section 16-244f] the book income
2546 from the sale or divestiture of assets, consisting of sales price less
2547 reasonable expenses of sale, related income and other taxes.

2548 Sec. 83. Subsection (b) of section 16-244h of the general statutes is
2549 repealed and the following is substituted in lieu thereof (*Effective from*
2550 *passage*):

2551 (b) The code of conduct shall include: (1) Measures to ensure
2552 information, revenues, expenses, costs, assets, liabilities or other
2553 resources derived from or associated with providing electric
2554 transmission or distribution services by an electric distribution
2555 company are not used to subsidize any generation entity or affiliate; (2)
2556 safeguards to assure fair dealing between electric distribution
2557 companies and all other electric suppliers, as defined in section 16-1, as
2558 amended by this act, including any generation entities or affiliates of
2559 the electric distribution company; (3) procedures for ensuring electric
2560 suppliers nondiscriminatory access to the transmission and
2561 distribution facilities of the electric distribution company; and (4)

2562 measures to ensure that an electric distribution company provides
2563 transmission and distribution service, applies tariffs to generation
2564 entities or affiliates and to unaffiliated electric suppliers in a
2565 nondiscriminatory manner and enforces such tariff provisions. The
2566 code of conduct shall, at a minimum, (A) prohibit any employee of a
2567 generation entity or affiliate from conducting distribution system
2568 operations or having access to system control centers or similar
2569 facilities used by distribution operations in any way that differs from
2570 the access available to employees of unaffiliated electric suppliers, (B)
2571 prohibit an employee of a generation entity or affiliate from having
2572 preferential access to any information concerning the electric
2573 distribution company's customers or distribution system that is not
2574 available on an equivalent basis to unaffiliated electric suppliers, (C)
2575 prohibit an employee of an electric distribution company from
2576 disclosing to an employee of a generation entity or affiliate information
2577 concerning its customers, the distribution system or other market
2578 information through nonpublic communications that is not available
2579 on an equivalent basis to all unaffiliated electric suppliers, (D) require
2580 employees of electric distribution companies to apply all tariff
2581 provisions relating to the sale or purchase of any retail access
2582 distribution service in a fair, impartial and nondiscriminatory manner,
2583 and (E) prohibit joint marketing activities between an electric
2584 distribution company and its generation entity or affiliate. The code of
2585 conduct shall not prohibit communications necessary for standard
2586 offer service pursuant to section 16-244c, as amended by this act, or
2587 when necessary to restore service or to prevent or respond to
2588 emergency conditions. Each electric distribution company shall
2589 annually submit to the authority such information as the authority
2590 may require in order to evaluate the actual effectiveness of the code of
2591 conduct in fulfilling the purposes of this section. The authority shall
2592 consult with the independent system operator on a regular basis
2593 regarding issues raised under this section. The authority may, upon its
2594 own motion or upon receipt of a complaint from any person alleging a
2595 violation of the code of conduct, investigate an electric distribution
2596 company's compliance with the code of conduct, and any such

2597 investigation shall be considered a contested case as defined in section
2598 4-166. The authority may enter into appropriate orders to enforce the
2599 code, including cease and desist orders, and it may levy civil penalties
2600 against these entities subject to the code after notice and hearing
2601 pursuant to section 16-41. Any person aggrieved by a violation of the
2602 code of conduct shall also have a private right of action for damages
2603 against the electric distribution company or generation entity or
2604 affiliate, as the case may be.

2605 Sec. 84. Section 16-245e of the 2014 supplement to the general
2606 statutes is repealed and the following is substituted in lieu thereof
2607 (*Effective from passage*):

2608 (a) As used in this section, sections 16-245f to 16-245k, inclusive, as
2609 amended by this act, and section 16-245m, as amended by this act:

2610 (1) "Rate reduction bonds" means bonds, notes, certificates of
2611 participation or beneficial interest, or other evidences of indebtedness
2612 or ownership, issued pursuant to an executed indenture or other
2613 agreement of a financing entity, in accordance with this section and
2614 sections 16-245f to 16-245k, inclusive, as amended by this act, the
2615 proceeds of which are used, directly or indirectly, to provide, recover,
2616 finance, or refinance stranded costs or economic recovery transfer, or
2617 to sustain funding of conservation and load management and
2618 renewable energy investment programs by substituting for
2619 disbursements to the General Fund from the Energy Conservation and
2620 Load Management Fund established by section 16-245m and from the
2621 Clean Energy Fund established by section 16-245n, and which, directly
2622 or indirectly, are secured by, evidence ownership interests in, or are
2623 payable from, transition property;

2624 (2) "Competitive transition assessment" means those [non-
2625 bypassable] nonbypassable rates and other charges, that are
2626 authorized by the authority (A) in a financing order in respect to the
2627 economic recovery transfer, or in a financing order, to sustain funding
2628 of conservation and load management and renewable energy
2629 investment programs by substituting disbursements to the General

2630 Fund from proceeds of rate reduction bonds for such disbursements
2631 from the Energy Conservation and Load Management Fund
2632 established by section 16-245m and from the Clean Energy Fund
2633 established by section 16-245n, or to recover those stranded costs that
2634 are eligible to be funded with the proceeds of rate reduction bonds
2635 pursuant to section 16-245f, as amended by this act, and the costs of
2636 providing, recovering, financing, or refinancing the economic recovery
2637 transfer or such substitution of disbursements to the General Fund or
2638 such stranded costs through a plan approved by the authority in the
2639 financing order, including the costs of issuing, servicing, and retiring
2640 rate reduction bonds, (B) to recover those stranded costs determined
2641 under this section but not eligible to be funded with the proceeds of
2642 rate reduction bonds pursuant to section 16-245f, as amended by this
2643 act, or (C) to recover costs determined under subdivision (1) of
2644 subsection (e) of section 16-244g. If requested by the [electric company
2645 or] electric distribution company, the authority shall include in the
2646 competitive transition assessment [non-bypassable] nonbypassable
2647 rates and other charges to recover federal and state taxes whose
2648 recovery period is modified by the transactions contemplated in this
2649 section and sections 16-245f to 16-245k, inclusive, as amended by this
2650 act;

2651 (3) "Customer" means any individual, business, firm, corporation,
2652 association, tax-exempt organization, joint stock association, trust,
2653 partnership, limited liability company, the United States or its
2654 agencies, this state, any political subdivision thereof or state agency
2655 that purchases electric generation or distribution services as a retail
2656 end user in the state from any electric supplier [, electric company] or
2657 electric distribution company;

2658 (4) "Finance authority" means the state, acting through the office of
2659 the State Treasurer;

2660 (5) "Net proceeds" means ["net proceeds" as defined in section 16-
2661 244f] the book income from the sale or divestiture of assets, consisting
2662 of sales price less reasonable expenses of sale, related income and

2663 other;

2664 (6) "Stranded costs" means that portion of generation assets,
2665 generation-related regulatory assets or long-term contract costs
2666 determined by the authority in accordance with the provisions of
2667 subsections (e), (f), (g) and (h) of this section;

2668 (7) "Generation assets" means the total construction and other
2669 capital asset costs of generation facilities approved for inclusion in
2670 rates before July 1, 1997, but does not include any costs relating to the
2671 decommissioning of any such facility or any costs which the authority
2672 found during a proceeding initiated before July 1, 1998, were incurred
2673 because of imprudent management;

2674 (8) "Generation-related regulatory assets" means generation-related
2675 costs authorized or mandated before July 1, 1998, by the Public
2676 Utilities Regulatory Authority, approved for inclusion in the rates, and
2677 include, but are not limited to, costs incurred for deferred taxes,
2678 conservation programs, environmental protection programs, public
2679 policy costs and research and development costs, net of any applicable
2680 credits payable to customers, but does not include any costs which the
2681 authority found during a proceeding initiated before July 1, 1998, were
2682 incurred because of imprudent management;

2683 (9) "Long-term contract costs" mean the above-market portion of the
2684 costs of contractual obligations approved for inclusion in the rates that
2685 were entered into before January 1, 2000, arising from independent
2686 power producer contracts required by law or purchased power
2687 contracts approved by the Federal Energy Regulatory Commission;

2688 [(10) "Authority" means the Public Utilities Regulatory Authority;]

2689 [(11)] (10) "Financing entity" means the finance authority or any
2690 special purpose trust or other entity that is authorized by the finance
2691 authority to issue rate reduction bonds or acquire transition property
2692 pursuant to such terms and conditions as the finance authority may
2693 specify, or both;

2694 [(12)] (11) "Financing order" means an order of the authority
2695 adopted in accordance with this section and sections 16-245f to 16-
2696 245k, inclusive, as amended by this act;

2697 [(13)] (12) "Transition property" means the property right created
2698 pursuant to this section and sections 16-245f to 16-245k, inclusive, as
2699 amended by this act, in respect to the economic recovery transfer or in
2700 respect of disbursements to the General Fund to sustain funding of
2701 conservation and load management and renewable energy investment
2702 programs or those stranded costs that are eligible to be funded with
2703 the proceeds of rate reduction bonds pursuant to section 16-245f, as
2704 amended by this act, including, without limitation, the right, title, and
2705 interest of an [electric company or] electric distribution company or its
2706 transferee or the financing entity (A) in and to the rates and charges
2707 established pursuant to a financing order, as adjusted from time to
2708 time in accordance with subdivision (2) of subsection (b) of section 16-
2709 245i, as amended by this act, and the financing order, (B) to be paid the
2710 amount that is determined in a financing order to be the amount that
2711 the [electric company or] electric distribution company or its transferee
2712 or the financing entity is lawfully entitled to receive pursuant to the
2713 provisions of this section and sections 16-245f to 16-245k, inclusive, as
2714 amended by this act, and the proceeds thereof, and in and to all
2715 revenues, collections, claims, payments, money, or proceeds of or
2716 arising from the rates and charges or constituting the competitive
2717 transition assessment that is the subject of a financing order including
2718 those non-bypassable rates and other charges referred to in
2719 subdivision (2) of this subsection, and (C) in and to all rights to obtain
2720 adjustments to the rates and charges pursuant to the terms of
2721 subdivision (2) of subsection (b) of section 16-245i, as amended by this
2722 act, and the financing order. "Transition property" shall constitute a
2723 current property right notwithstanding the fact that the value of the
2724 property right will depend on consumers using electricity or, in those
2725 instances where consumers are customers of a particular [electric
2726 company or] electric distribution company, the [electric company or]
2727 electric distribution company performing certain services;

2728 [(14)] (13) "State rate reduction bonds" means the rate reduction
2729 bonds issued on June 23, 2004, by the state to sustain funding of
2730 conservation and load management and renewable energy investment
2731 programs by substituting for disbursements to the General Fund from
2732 the Energy Conservation and Load Management Fund, established by
2733 section 16-245m, and from the Clean Energy Fund, established by
2734 section 16-245n. The state rate reduction bonds for the purposes of
2735 section 4-30a shall be deemed to be outstanding indebtedness of the
2736 state;

2737 [(15)] (14) "Operating expenses" means, with respect to state rate
2738 reduction bonds or economic recovery revenue bonds, (A) all
2739 expenses, costs and liabilities of the state or the trustee incurred in
2740 connection with the administration or payment of the state rate
2741 reduction bonds or economic recovery revenue bonds, or in discharge
2742 of its obligations and duties under the state rate reduction bonds or
2743 economic recovery revenue bonds, or bond documents, expenses and
2744 other costs and expenses arising in connection with the state rate
2745 reduction bonds or economic recovery revenue bonds, or pursuant to
2746 the financing order providing for the issuance of such bonds including
2747 any arbitrage rebate and penalties payable under the code in
2748 connection with such bonds, and (B) all fees and expenses payable or
2749 disburseable to the servicers or others under the bond documents;

2750 [(16)] (15) "Bond documents" means, with respect to state rate
2751 reduction bonds or economic recovery revenue bonds, the following
2752 documents: The servicing agreements, the tax compliance agreement
2753 and certificate, and the continuing disclosure agreement and indenture
2754 entered into in connection with the state rate reduction bonds or the
2755 economic recovery revenue bonds;

2756 [(17)] (16) "Indenture" means the indenture executed in connection
2757 with the state rate reduction bonds or the economic recovery revenue
2758 bonds, or, with respect to state rate reduction bonds, the RRB
2759 Indenture, dated as of June 23, 2004, by and between the state and the
2760 trustee, as amended from time to time;

2761 [(18)] (17) "Trustee" means, with respect to state rate reduction
2762 bonds, the trustee appointed under the indenture;

2763 [(19)] (18) "Economic recovery transfer" means the disbursement to
2764 the General Fund of nine hundred fifty-six million dollars from
2765 proceeds of the issuance of the economic recovery revenue bonds; and

2766 [(20)] (19) "Economic recovery revenue bonds" means rate reduction
2767 bonds issued to fund the economic recovery transfer, the costs of
2768 issuance, credit enhancements, operating expenses and such other
2769 costs as the finance authority deems necessary or advisable, and which
2770 shall be payable from competitive transition assessment charges that
2771 replace the competitive transition assessment charges funding
2772 stranded costs.

2773 (b) The authority shall, in accordance with the provisions of this
2774 section, identify and calculate, upon application by an electric
2775 distribution company, those stranded costs that may be collected
2776 through the competitive transition assessment which shall be
2777 calculated and collected in accordance with the provisions of section
2778 16-245g, as amended by this act. No electric distribution company shall
2779 be eligible to claim stranded costs unless a public auction has been
2780 held to divest itself of all nonnuclear generation assets [in accordance
2781 with subsection (b) of section 16-244f] or the electric distribution
2782 company has sold its nonnuclear generation assets in accordance with
2783 section 16-43.

2784 (c) (1) Notwithstanding subdivision (1) of subsection (e) of section
2785 16-244g, any electric distribution company seeking to claim stranded
2786 costs shall, in accordance with this subsection, mitigate such costs to
2787 the fullest extent possible. Prior to the approval by the authority of any
2788 stranded costs, the electric distribution company shall show to the
2789 satisfaction of the authority that the electric distribution company has
2790 taken all reasonable steps to mitigate to the maximum extent possible
2791 the total amount of stranded costs that it seeks to claim and to
2792 minimize the cost to be recovered from customers. Mitigation shall
2793 include: (A) Except to the extent provided in collective bargaining

2794 agreements or agreements to purchase generation assets entered into
2795 prior to July 1, 1998, the obtaining of written commitments from
2796 purchasers of generation facilities divested pursuant to [sections 16-
2797 244f and] section 16-244g, as amended by this act, that the purchasers
2798 will offer employment to persons who were employed in
2799 nonmanagerial positions by a divested generation facility at any time
2800 during the three-month period prior to the divestiture, at levels of
2801 wages and overall compensation not lower than the employees' lowest
2802 level during the six-month period prior to the date the contract to
2803 divest the asset was entered into; (B) good faith efforts to negotiate the
2804 buyout, buydown or renegotiation of independent power producer
2805 contracts and purchased power contracts approved by the Federal
2806 Energy Regulatory Commission, provided the fixed present value of
2807 any contract to which a political subdivision of the state is a party shall
2808 be calculated using the political subdivision's tax-exempt borrowing
2809 rate as the discount rate; and (C) the reasonable costs of the consultants
2810 appointed to conduct the auctions of generation assets pursuant to
2811 [sections 16-244f and] section 16-244g, as amended by this act.
2812 Mitigation may include, but is not limited to, reallocation of
2813 depreciation reserves to existing generation assets to the extent
2814 consistent with generally accepted accounting principles; reduction of
2815 book assets by application of net proceeds of any sale of existing assets;
2816 maximization of market revenues from existing generation assets;
2817 efforts to maximize current and future operating efficiency, including
2818 appropriate and timely maintenance, trouble shooting, aggressive
2819 identification and correction of potential problem areas; voluntary
2820 write-offs of above-market generation assets; the decision to retire
2821 uneconomical generation assets and efforts to divest generating sites at
2822 market prices reflective of best use of sites. Mitigation shall not include
2823 any expenditures to restart a nuclear generation asset that was not
2824 operating for reasons other than scheduled maintenance or refueling at
2825 the time such expenditure was made. Any mitigation efforts and
2826 associated costs shall be subject to approval by the authority.

2827 (2) The authority shall allow the cost of such mitigation efforts to be
2828 included in the calculation of stranded costs to the extent that such

2829 mitigation costs are reasonable relative to the amount of the reduction
2830 in stranded costs resulting from the mitigation.

2831 (d) An electric distribution company shall submit to the authority an
2832 application for recovery of that portion of generation-related
2833 regulatory assets, long-term contract costs, generation assets and
2834 mitigation costs which are determined by the authority in accordance
2835 with subsections (c), (e), (f) and (g) of this section and subdivision (1)
2836 of subsection (e) of section 16-244g. The application shall include a
2837 description of mitigation efforts and a request for recovery through the
2838 competitive transition assessment and may include a request for a
2839 financing order. The authority shall hold a hearing for each electric
2840 distribution company and issue a finding of the calculation of stranded
2841 costs in a time frame that allows for collection of the competitive
2842 transition assessment to begin on January 1, 2000. Any hearing shall be
2843 conducted as a contested case in accordance with chapter 54.

2844 (e) The authority shall calculate the stranded costs for generation-
2845 related regulatory assets to be their book value as of January 1, 2000. In
2846 calculating the value of generation-related regulatory assets that are
2847 being provided in a lump sum as the result of a funding with the
2848 proceeds of rate reduction bonds, the authority shall adjust the value
2849 of each such asset to reflect the time value of such lump sum, if any.

2850 (f) (1) The authority shall calculate the stranded costs for long-term
2851 contract costs that have been reduced to a fixed present value through
2852 the buyout, buydown, or renegotiation of independent power
2853 producer contracts and purchased power contracts approved by the
2854 Federal Energy Regulatory Commission as such present value. In
2855 making such calculation, the authority shall net purchased power
2856 contracts approved by the Federal Energy Regulatory Commission
2857 that are below market value against any such contracts that are above-
2858 market value.

2859 (2) The authority shall calculate the stranded costs for any portion of
2860 a long-term contract cost that has not been reduced to a fixed present
2861 value by comparing the contract price to the market price at least

2862 annually. In making such calculation, the authority shall net purchased
2863 power contracts approved by the Federal Energy Regulatory
2864 Commission that are below market value against any such contracts
2865 that are above-market value. The costs described in this subdivision
2866 shall be included in the competitive transition assessment pursuant to
2867 section 16-245g, as amended by this act, but shall not be included in
2868 any funding with the proceeds of rate reduction bonds.

2869 (g) The authority shall calculate the stranded cost for each
2870 generation asset [described in subdivision (7) of subsection (b) of
2871 section 16-244f] to be the difference between its book value and the
2872 market value of a prudently and efficiently managed nonnuclear
2873 generating facility of comparable size, age and technical characteristics
2874 in a competitive market. In determining the market value of any such
2875 asset, the authority may consider (A) the dollars per kilowatt received
2876 from the sale of similar generation facilities, if any, (B) income
2877 capitalization based on the operating history and capacity of the
2878 facility, the market rates for power, and any existing long-term
2879 contracts for the sale of power or capacity, (C) independent market
2880 appraisals, or (D) other relevant factors. The authority shall calculate
2881 the stranded costs for generation assets [described in subdivision (7) of
2882 subsection (b) of section 16-244f] at least every three years. The costs
2883 described in this subsection shall be included in the competitive
2884 transition assessment pursuant to section 16-245g, as amended by this
2885 act, but shall not be included in any funding with the proceeds of rate
2886 reduction bonds.

2887 (h) (1) On or before January 1, 2004, an electric distribution
2888 company may submit to the authority an application for recovery of
2889 that portion of nuclear generation assets which is determined by the
2890 authority in accordance with this subsection, which application shall
2891 include a request for recovery through the competitive transition
2892 assessment. The authority shall hold a hearing for each electric
2893 distribution company and issue a finding of the calculation of such
2894 nuclear generation assets in accordance with the provisions of this
2895 subsection. Any hearing shall be conducted as a contested case

2896 proceeding in accordance with chapter 54. The costs described in this
2897 subsection shall be included in the competitive transition assessment
2898 pursuant to section 16-245g, as amended by this act, but shall not be
2899 included in any funding with proceeds of rate reduction bonds.

2900 (2) The authority shall calculate the stranded costs for each nuclear
2901 generation asset that was divested at a price less than book value as
2902 described in subdivision (5) of subsection (c) of section 16-244g as the
2903 difference between the book value of this asset and the final bid price
2904 of the asset. The authority's calculation of stranded costs pursuant to
2905 this subdivision shall be final and shall not be subject to further
2906 adjustment by the authority.

2907 (3) The authority shall calculate the stranded costs for each
2908 nondivested nuclear generation asset described in subdivision (1) of
2909 subsection (d) of section 16-244g to be the difference between its book
2910 value and the market value of a prudently and efficiently managed
2911 nuclear generating facility of comparable size, age and technical
2912 characteristics in a competitive market. In determining the market
2913 value of any such asset, the authority may consider (A) the dollars per
2914 kilowatt received from the sale of similar generation facilities, if any,
2915 (B) income capitalization based on the operating history and capacity
2916 of the facility, the market rates for power, and any existing long-term
2917 contracts for the sale of power or capacity, (C) the provision for
2918 decommissioning and related costs to be paid from the systems
2919 benefits charge provided in section 16-245l, as amended by this act, (D)
2920 independent market appraisals, or (E) other relevant factors. At least
2921 every four years after the date when the authority issues an initial
2922 finding of the calculation of the stranded costs for such nondivested
2923 nuclear generation assets as provided in this subdivision until the
2924 earlier of (i) the expiration of the collection of the competitive
2925 transition assessment, or (ii) the date when such an asset is divested,
2926 the authority shall hold a hearing and issue a finding to adjust the
2927 stranded cost calculation of each such asset and to adjust the
2928 competitive transition assessment accordingly to true up the stranded
2929 cost recovery for the difference between the market value projected in

2930 such initial finding and the actual market value of a prudently and
2931 efficiently managed nuclear generating facility of comparable size, age
2932 and technical characteristics during the time period between the initial
2933 finding and the adjustment date, provided the second and subsequent
2934 adjustments shall reflect the difference during the time period since the
2935 most recent true-up. The authority shall calculate the value of each
2936 such asset in accordance with the methodology provided in this
2937 subdivision. Any hearing shall be conducted as a contested case in
2938 accordance with chapter 54.

2939 (4) After the authority has calculated the total value of stranded
2940 costs for all nuclear generation assets, the authority shall (A) reduce
2941 such amount by the net proceeds that are above book value realized by
2942 an electric distribution company from the sale of nonnuclear
2943 generation assets, [pursuant to subdivision (6) of subsection (b) of
2944 section 16-244f,] (B) reduce such valuation to reflect the total net
2945 proceeds that are above book value realized by an electric distribution
2946 company from the sale of any nuclear generation assets pursuant to
2947 subsection (c) of section 16-244g, and (C) reduce such amount by the
2948 net proceeds that are above book value received by an electric
2949 distribution company for the sale or lease of any real property after
2950 July 1, 1998.

2951 (i) If any net proceeds described in subdivision (4) of subsection (h)
2952 of this section remain after the reduction in the calculation of nuclear
2953 generation assets pursuant to said subdivision (4) or are realized after
2954 said reduction is calculated, the additional amount of such net
2955 proceeds shall be netted against long-term contract costs described in
2956 subdivision (2) of subsection (f) of this section, and the competitive
2957 transition assessment shall be adjusted accordingly.

2958 (j) [(1)] No electric distribution company shall be eligible to claim
2959 any stranded costs for a nuclear generation asset or for any generation-
2960 related regulatory asset related to such generation asset, if the
2961 generation asset is not operating as a result of an order issued by the
2962 United States Nuclear Regulatory Commission that applies specifically

2963 to such asset. Any such asset that is not eligible to be claimed as a
2964 stranded cost shall be eligible after it is permitted to and has resumed
2965 operation and is selling power.

2966 [(2) Any asset with a Nuclear Regulatory Commission capacity
2967 rating of 641 megawatts that does not resume operation after such
2968 order is no longer in effect shall not be eligible to be claimed as a
2969 stranded cost. An electric company or electric distribution company
2970 may apply to the authority for retirement of such unit for economic
2971 reasons pursuant to section 16-19. The authority shall include any
2972 recovery ordered in such proceeding in the competitive transition
2973 assessment but shall not include any costs relating to the
2974 decommissioning of any such facility or any costs which the authority
2975 found during a proceeding initiated before July 1, 1998, were incurred
2976 because of imprudent management. Notwithstanding the provisions of
2977 this subdivision, nothing herein shall modify or supersede any statute
2978 or regulation in effect on July 1, 1998, pertaining to applications for
2979 retirement of nuclear generating facilities.]

2980 (k) If an electric distribution company elected to transfer any of its
2981 nuclear generation assets and related operations and functions to a
2982 separate corporate affiliate or to a division that is functionally separate
2983 from the electric distribution company pursuant to section 16-244g, as
2984 amended by this act, and subsequently sold any such assets in an arm's
2985 length transaction to an unrelated entity prior to January 1, 2012, the
2986 net proceeds realized from such sale that exceed book value for such
2987 assets shall be netted against the total amount of stranded costs, and
2988 the competitive transition assessment shall be adjusted accordingly
2989 and, if appropriate, other reimbursement shall be ordered by the
2990 authority.

2991 [(l) Funds appropriated to the Treasurer in section 21 of public act
2992 07-1 of the June special session shall be used by the Treasurer for the
2993 purpose of (1) defeasing some or all of the state rate reduction bonds
2994 maturing after December 30, 2007, by irrevocably depositing with the
2995 bond trustee in trust such appropriation to be used for the scheduled

2996 payments of principal and interest on the said state rate reduction
2997 bonds and paying operating expenses, (2) purchasing state rate
2998 reduction bonds maturing after December 30, 2007, in the open market
2999 on such terms and conditions as the Treasurer determines to be in the
3000 best interest of the state for purposes of satisfying such bonds, or (3)
3001 defeasing or satisfying some or all of the state rate reduction bonds
3002 maturing after December 30, 2007, by a combination of the methods
3003 described in subdivisions (1) and (2) of this subsection. Such
3004 appropriation is for the purpose of paying debt service on bonds or
3005 other evidences of indebtedness and related costs and expenses
3006 provided for in the indenture. After the defeasance or satisfaction of all
3007 outstanding state rate reduction bonds, the trustee shall deliver to the
3008 Treasurer or apply in accordance with the instructions of the Treasurer
3009 all moneys held by it not necessary to defease or satisfy such bonds or
3010 allocated to pay operating expenses. Such funds shall be first applied
3011 to satisfy any unpaid operating expenses. After payment of the
3012 operating expenses, seventy-five per cent of any remaining amounts
3013 shall be paid to the Energy Conservation and Load Management Fund,
3014 established pursuant to section 16-245m, and twenty-five per cent of
3015 such remaining amount shall be paid to the Clean Energy Fund,
3016 established pursuant to section 16-245n. The Treasurer and the finance
3017 authority have the authority to take any necessary and appropriate
3018 actions to implement the defeasance or satisfaction of the state rate
3019 reduction bonds and the payment of all operating expenses so that the
3020 amount of state rate reduction charges which before defeasance
3021 secured the state rate reduction bonds can be applied to the Energy
3022 Conservation and Load Management Fund and the Clean Energy
3023 Fund.]

3024 Sec. 85. Subsection (a) of section 16-245f of the 2014 supplement to
3025 the general statutes is repealed and the following is substituted in lieu
3026 thereof (*Effective from passage*):

3027 (a) An [electric company or] electric distribution company shall
3028 submit to the authority an application for a financing order with
3029 respect to any proposal to sustain funding of conservation and load

3030 management and renewable energy investment programs by
3031 substituting disbursements to the General Fund from proceeds of rate
3032 reduction bonds for such disbursements from the Energy Conservation
3033 and Load Management Fund established by section 16-245m, as
3034 amended by this act, and from the Clean Energy Fund established by
3035 section 16-245n, as amended by this act, and may submit to the
3036 authority an application for a financing order with respect to the
3037 following stranded costs: (1) The cost of mitigation efforts, as
3038 calculated pursuant to subsection (c) of section 16-245e, as amended by
3039 this act; (2) generation-related regulatory assets, as calculated pursuant
3040 to subsection (e) of section 16-245e, as amended by this act; and (3)
3041 those long-term contract costs that have been reduced to a fixed
3042 present value through the buyout, buydown, or renegotiation of such
3043 contracts, as calculated pursuant to subsection (f) of section 16-245e, as
3044 amended by this act. No stranded costs shall be funded with the
3045 proceeds of rate reduction bonds unless (A) the [electric company or]
3046 electric distribution company proves to the satisfaction of the authority
3047 that the savings attributable to such funding will be directly passed on
3048 to customers through lower rates, and (B) the authority determines
3049 such funding will not result in giving the electric distribution company
3050 or any generation entities or affiliates an unfair competitive advantage.
3051 The authority shall hold a hearing for each such electric distribution
3052 company to determine the amount of disbursements to the General
3053 Fund from proceeds of rate reduction bonds that may be substituted
3054 for such disbursements from the Energy Conservation and Load
3055 Management Fund established by section 16-245m, as amended by this
3056 act, and from the Clean Energy Fund established by section 16-245n, as
3057 amended by this act, and thereby constitute transition property and
3058 the portion of stranded costs that may be included in such funding and
3059 thereby constitute transition property. Any hearing shall be conducted
3060 as a contested case in accordance with chapter 54, except that any
3061 hearing with respect to a financing order or other order to sustain
3062 funding for conservation and load management and renewable energy
3063 investment programs by substituting the disbursement to the General
3064 Fund from the Energy Conservation and Load Management Fund

3065 established by section 16-245m, as amended by this act, and from the
3066 Clean Energy Investment Fund established by section 16-245n, as
3067 amended by this act, shall not be a contested case, as defined in section
3068 4-166. The authority shall not include any rate reduction bonds as debt
3069 of an electric distribution company in determining the capital structure
3070 of the company in a rate-making proceeding, for calculating the
3071 company's return on equity or in any manner that would impact the
3072 electric distribution company for rate-making purposes, and shall not
3073 approve such rate reduction bonds that include covenants that have
3074 provisions prohibiting any change to their appointment of an
3075 administrator of the Energy Conservation and Load Management
3076 Fund. Nothing in this subsection shall be deemed to affect the terms of
3077 subsection (b) of section 16-245m

3078 Sec. 86. Section 16-245g of the general statutes is repealed and the
3079 following is substituted in lieu thereof (*Effective from passage*):

3080 (a) The Public Utilities Regulatory Authority shall assess and
3081 beginning January 1, 2000, impose the competitive transition
3082 assessment which shall be imposed on all customers of each electric
3083 distribution company to provide funds for the purposes described in
3084 subsection (d) of this section. The authority shall hold a hearing that
3085 shall be conducted as a contested case in accordance with chapter 54,
3086 except as otherwise provided in section 16-245f, as amended by this
3087 act, to determine the amount of the competitive transition assessment.

3088 (b) The authority shall consider the effect on all customer rates and
3089 other factors relevant to reducing rates in determining the amount of
3090 the competitive transition assessment and the manner in which and
3091 the period over which it shall be imposed in any decision of the
3092 authority to set or adjust the competitive transition assessment.

3093 (c) The competitive transition assessment shall be determined by the
3094 authority in a general and equitable manner and, in accordance with
3095 the provisions of subsection (b) of section 16-245f, shall be imposed on
3096 all customers at a rate that is applied equally to all customers of the
3097 same class in accordance with methods of allocation in effect on July 1,

1998, provided the competitive transition assessment shall not be imposed on customers receiving services under a special contract which is in effect on July 1, 1998, until such special contract expires. The competitive transition assessment shall be imposed beginning on January 1, 2000, on all customers receiving services under a special contract which is entered into or renewed after July 1, 1998. The competitive transition assessment shall have a generally applicable manner of determination that may be measured on the basis of percentages of total costs of retail sales of electric generation services. Subject to the provisions of subsection (b) of section 16-245f, the competitive transition assessment shall be payable by customers on an equal basis on the same payment terms and shall be eligible or subject to prepayment on an equal basis. Any exemption of the competitive transition assessment by customers under a special contract shall not result in an increase in rates to any customer.

(d) The authority shall establish, fix and revise the competitive transition assessment in an amount sufficient at all times to: (1) Pay the principal of and the interest on rate reduction bonds as the same shall become due and payable; (2) to pay all reasonable and necessary expenses relating to the financing; and (3) to pay an electric distribution company stranded costs that are not funded with the proceeds of rate reduction bonds and interim capital costs determined under subdivision (1) of subsection (e) of section 16-244g.

(e) The competitive transition assessment shall be charged to customers until the rate reduction bonds are paid in full by the financing entity and stranded costs not funded with the proceeds of rate reduction bonds are fully recovered by the [electric company or] electric distribution company. Amounts collected from a customer shall be allocated on a pro rata basis among (1) rates and charges described in subparagraph (A) of subdivision (2) of subsection (a) of section 16-245e, as amended by this act, (2) rates and charges described in subparagraph (B) of subdivision (2) of subsection (a) of section 16-245e, as amended by this act, and (3) other charges. To the extent that the authority, when issuing a financing order, determines that special

3132 treatment on customers' bills is necessary or desirable to distinguish
3133 rates and charges described in subparagraph (A) of subdivision (2) of
3134 subsection (a) of section 16-245e, as amended by this act, from rates
3135 and charges described in subparagraph (B) of subdivision (2) of
3136 subsection (a) of section 16-245e, as amended by this act, in order to
3137 facilitate the successful issuance and sale of rate reduction bonds, it
3138 may so provide as part of such financing order.

3139 Sec. 87. Section 16-245h of the general statutes is repealed and the
3140 following is substituted in lieu thereof (*Effective from passage*):

3141 (a) The competitive transition assessment described in
3142 subparagraph (A) of subdivision (2) of subsection (a) of section 16-
3143 245e, as amended by this act, shall constitute transition property when,
3144 and to the extent that, a financing order authorizing such portion of
3145 the competitive transition assessment has become effective in
3146 accordance with sections 16-245e to 16-245k, inclusive, as amended by
3147 this act, and the transition property shall thereafter continuously exist
3148 as property for all purposes with all of the rights and privileges of
3149 sections 16-245e to 16-245k, inclusive, as amended by this act, for the
3150 period and to the extent provided in the financing order, but in any
3151 event until the rate reduction bonds are paid in full, including all
3152 principal, interest, premium, costs, and arrearages on such bonds.
3153 Prior to its sale or other transfer by the [electric company or] electric
3154 distribution company pursuant to sections 16-245e to 16-245k,
3155 inclusive, as amended by this act, transition property, other than
3156 transition property in respect of the economic recovery transfer or in
3157 respect to disbursements to the General Fund to sustain funding of
3158 conservation and load management and renewable energy investment
3159 programs, shall be a vested contract right of the [electric company or]
3160 electric distribution company, notwithstanding any contrary treatment
3161 thereof for accounting, tax, or other purpose. Transition property in
3162 respect of disbursements to the General Fund to sustain funding of
3163 conservation and load management and renewable energy investment
3164 programs shall immediately upon its creation vest solely in the
3165 financing entity. Transition property in respect to the economic

3166 recovery transfer shall immediately upon its creation vest solely in the
3167 financing entity. The [electric company or] electric distribution
3168 company shall have no right, title or interest in transition property in
3169 respect to the economic recovery transfer or in respect of
3170 disbursements to the General Fund to sustain funding of conservation
3171 and load management and renewable energy investment programs,
3172 and in respect of such transition property shall be only a collection
3173 agent on behalf of the financing entity.

3174 (b) Any surplus competitive transition assessment described in
3175 subparagraph (A) of subdivision (2) of subsection (a) of section 16-
3176 245e, as amended by this act, in excess of the amounts necessary to pay
3177 principal, premium, if any, interest and expenses of the issuance of the
3178 rate reduction bonds shall be remitted to the financing entity and may
3179 be used to benefit customers if this would not result in a
3180 recharacterization of the tax, accounting, and other intended
3181 characteristics of the financing, including, but not limited to, the
3182 following:

3183 (1) Avoiding the recognition of debt on the [electric company's or
3184 the] electric distribution company's balance sheet for financial
3185 accounting and regulatory purposes;

3186 (2) Treating the rate reduction bonds as debt of the [electric
3187 company or] electric distribution company or its affiliates for federal
3188 income tax purposes;

3189 (3) Treating the transfer of the transition property by the [electric
3190 company or] electric distribution company as a true sale for
3191 bankruptcy purposes; or

3192 (4) Avoiding any adverse impact of the financing on the credit
3193 rating of the rate reduction bonds or the [electric company or] electric
3194 distribution company.

3195 (c) Electric [companies and electric] distribution companies may sell
3196 and assign all or portions of their interest in transition property to an

3197 affiliate. Electric [companies and electric] distribution companies or
3198 their affiliates may sell or assign their interests to one or more
3199 financing entities that make that property the basis for issuance of rate
3200 reduction bonds to the extent approved in the pertinent financing
3201 orders. Electric [companies, electric] distribution companies, their
3202 affiliates, or financing entities may pledge transition property as
3203 collateral, directly or indirectly, for rate reduction bonds to the extent
3204 approved in the pertinent financing orders providing for a security
3205 interest in the transition property, in the manner as set forth in section
3206 16-245k, as amended by this act. In addition, transition property may
3207 be sold or assigned by (1) the financing entity or a trustee for the
3208 holders of rate reduction bonds in connection with the exercise of
3209 remedies upon a default, or (2) any person acquiring the transition
3210 property after a sale or assignment pursuant to this subsection.

3211 (d) To the extent that any interest in transition property is so sold or
3212 assigned, or is so pledged as collateral, the authority shall authorize
3213 the [electric company or] electric distribution company to contract with
3214 the financing entity that it will continue to operate its system to
3215 provide service to its customers, will collect amounts in respect of the
3216 competitive transition assessment for the benefit and account of the
3217 financing entity, and will account for and remit these amounts to or for
3218 the account of the financing entity. Contracting with the financing
3219 entity in accordance with that authorization shall not impair or negate
3220 the characterization of the sale, assignment, or pledge as an absolute
3221 transfer, a true sale, or security interest, as applicable.

3222 Sec. 88. Subsections (a) and (b) of section 16-245i of the general
3223 statutes are repealed and the following is substituted in lieu thereof
3224 (*Effective from passage*):

3225 (a) The authority may issue financing orders in accordance with
3226 sections 16-245e to 16-245k, inclusive, as amended by this act, to fund
3227 the economic recovery transfer, to sustain funding of conservation and
3228 load management and renewable energy investment programs by
3229 substituting disbursements to the General Fund from proceeds of rate

3230 reduction bonds for such disbursements from the Energy Conservation
3231 and Load Management Fund established by section 16-245m, as
3232 amended by this act, and from the Clean Energy Fund established by
3233 section 16-245n, as amended by this act, and to facilitate the provision,
3234 recovery, financing, or refinancing of stranded costs. Except for a
3235 financing order in respect to the economic recovery revenue bonds, a
3236 financing order may be adopted only upon the application of an
3237 [electric company or] electric distribution company, pursuant to
3238 section 16-245f, as amended by this act, and shall become effective in
3239 accordance with its terms only after the [electric company or] electric
3240 distribution company files with the authority the [electric company's
3241 or the] electric distribution company's written consent to all terms and
3242 conditions of the financing order. Any financing order in respect to the
3243 economic recovery revenue bonds shall be effective on issuance.

3244 (b) (1) Notwithstanding any general or special law, rule, or
3245 regulation to the contrary, except as otherwise provided in this
3246 subsection with respect to transition property that has been made the
3247 basis for the issuance of rate reduction bonds, the financing orders and
3248 the competitive transition assessment shall be irrevocable and the
3249 authority shall not have authority either by rescinding, altering, or
3250 amending the financing order or otherwise, to revalue or revise for
3251 rate-making purposes the stranded costs, or the costs of providing,
3252 recovering, financing, or refinancing the stranded costs, the amount of
3253 the economic recovery transfer or the amount of disbursements to the
3254 General Fund from proceeds of rate reduction bonds substituted for
3255 such disbursements from the Energy Conservation and Load
3256 Management Fund established by section 16-245m, as amended by this
3257 act, and from the Clean Energy Fund established by section 16-245n, as
3258 amended by this act, determine that the competitive transition
3259 assessment is unjust or unreasonable, or in any way reduce or impair
3260 the value of transition property either directly or indirectly by taking
3261 the competitive transition assessment into account when setting other
3262 rates for the [electric company or] electric distribution company; nor
3263 shall the amount of revenues arising with respect thereto be subject to
3264 reduction, impairment, postponement, or termination.

3265 (2) Notwithstanding any other provision of this section, the
3266 authority shall approve the adjustments to the competitive transition
3267 assessment as may be necessary to ensure timely recovery of all
3268 stranded costs that are the subject of the pertinent financing order, and
3269 the costs of capital associated with the provision, recovery, financing,
3270 or refinancing thereof, including the costs of issuing, servicing, and
3271 retiring the rate reduction bonds issued to recover stranded costs
3272 contemplated by the financing order and to ensure timely recovery of
3273 the costs of issuing, servicing, and retiring the rate reduction bonds
3274 issued to sustain funding of conservation and load management and
3275 renewable energy investment programs contemplated by the financing
3276 order, and to ensure timely recovery of the costs of issuing, servicing
3277 and retiring the economic recovery revenue bonds issued to fund the
3278 economic recovery transfer contemplated by the financing order.

3279 (3) Notwithstanding any general or special law, rule, or regulation
3280 to the contrary, any requirement under sections 16-245e to 16-245k,
3281 inclusive, as amended by this act, or a financing order that the
3282 authority take action with respect to the subject matter of a financing
3283 order shall be binding upon the authority, as it may be constituted
3284 from time to time, and any successor agency exercising functions
3285 similar to the authority and the authority shall have no authority to
3286 rescind, alter, or amend that requirement in a financing order. Section
3287 16-43 shall not apply to any sale, assignment, or other transfer of or
3288 grant of a security interest in any transition property or the issuance of
3289 rate reduction bonds under sections 16-245e to 16-245k, inclusive, as
3290 amended by this act.

3291 Sec. 89. Subsections (a) to (c), inclusive, of section 16-245j of the
3292 general statutes are repealed and the following is substituted in lieu
3293 thereof (*Effective from passage*):

3294 (a) (1) Except as provided in subdivision (2) of this subsection, a
3295 financing entity may issue rate reduction bonds upon approval by the
3296 authority in the pertinent financing order. Rate reduction bonds shall
3297 be nonrecourse to the credit or any assets of the [electric company,]

3298 electric distribution company or the finance authority, other than the
3299 transition property as specified in the pertinent financing order.

3300 (2) Notwithstanding the provisions of subdivision (1) of this
3301 subsection, on and after June 21, 2011, no financing entity has the
3302 power or is authorized to issue economic recovery revenue bonds. No
3303 competitive transition assessment shall be assessed to secure and pay
3304 economic recovery revenue bonds.

3305 (b) Except as otherwise provided in this subsection, the state of
3306 Connecticut does hereby pledge and agree with the owners of
3307 transition property and holders of rate reduction bonds that the state
3308 shall neither limit nor alter the competitive transition assessment,
3309 transition property, financing orders, and all rights thereunder until
3310 the obligations, together with the interest thereon, are fully met and
3311 discharged, provided nothing contained in this subsection shall
3312 preclude the limitation or alteration if and when adequate provision
3313 shall be made by law for the protection of the owners and holders. The
3314 finance authority as agent for the state is authorized to include this
3315 pledge and undertaking for the state in these obligations.

3316 (c) (1) Financing orders and rate reduction bonds shall not be
3317 deemed to constitute a debt or liability of the state or of any political
3318 subdivision thereof, other than the financing entity, shall not constitute
3319 a pledge of the full faith and credit of the state or any of its political
3320 subdivisions, other than the financing entity, but shall be payable
3321 solely from the funds provided under sections 16-245e to 16-245k,
3322 inclusive, as amended by this act, and shall not constitute an
3323 indebtedness of the state within the meaning of any constitutional or
3324 statutory debt limitation or restriction and, accordingly, shall not be
3325 subject to any statutory limitation on the indebtedness of the state and
3326 shall not be included in computing the aggregate indebtedness of the
3327 state in respect to and to the extent of any such limitation. This
3328 subsection shall in no way preclude bond guarantees or enhancements
3329 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this
3330 act. All rate reduction bonds shall contain on the face thereof a

3331 statement to the following effect: "Neither the full faith and credit nor
3332 the taxing power of the State of Connecticut is pledged to the payment
3333 of the principal of, or interest on, this bond."

3334 (2) The issuance of rate reduction bonds under sections 16-245e to
3335 16-245k, inclusive, as amended by this act, shall not directly, indirectly,
3336 or contingently obligate the state or any political subdivision thereof to
3337 levy or to pledge any form of taxation therefor or to make any
3338 appropriation for their payment.

3339 (3) The exercise of the powers granted by sections 16-245e to 16-
3340 245k, inclusive, as amended by this act, shall be in all respects for the
3341 benefit of the people of this state, for the increase of their commerce,
3342 welfare, and prosperity, and as the exercise of such powers shall
3343 constitute the performance of an essential public function, neither the
3344 finance authority, any [electric company or] electric distribution
3345 company, any affiliate of any [electric company or] electric distribution
3346 company, any financing entity, or any collection or other agent of any
3347 of the foregoing shall be required to pay any taxes or assessments
3348 upon or in respect of any revenues or property received, acquired,
3349 transferred, or used by the finance authority, any [electric company or]
3350 electric distribution company, any affiliate of any [electric company or]
3351 electric distribution company, any financing entity, or any collection or
3352 other agent of any of the foregoing under the provisions of sections 16-
3353 245e to 16-245k, inclusive, as amended by this act, or upon or in
3354 respect of the income therefrom, and any rate reduction bonds shall be
3355 treated as issued by or on behalf of a public instrumentality created
3356 under the laws of the state for purposes of chapter 229.

3357 (4) (A) The proceeds of any rate reduction bonds, other than
3358 economic recovery revenue bonds, shall be used for the purposes
3359 approved by the authority in the financing order, including, but not
3360 limited to, disbursements to the General Fund in substitution for such
3361 disbursements from the Energy Conservation and Load Management
3362 Fund established by section 16-245m, as amended by this act, and from
3363 the Clean Energy Fund established by section 16-245n, as amended by

3364 this act, the costs of refinancing or retiring of debt of the [electric
3365 company or] electric distribution company, and associated federal and
3366 state tax liabilities; provided such proceeds shall not be applied to
3367 purchase generation assets or to purchase or redeem stock or to pay
3368 dividends to shareholders or operating expenses other than taxes
3369 resulting from the receipt of such proceeds.

3370 (B) The proceeds of any economic recovery revenue bonds shall be
3371 used for the purposes approved by the authority in the financing
3372 order, including, but not limited to, funding the economic recovery
3373 transfer, provided such proceeds shall not be applied to purchase
3374 generation assets or to purchase or redeem stock or to pay dividends
3375 to shareholders or operating expenses other than taxes resulting from
3376 the receipt of such proceeds.

3377 (5) Rate reduction bonds are made and declared (A) securities in
3378 which all public officers and public bodies of the state and its political
3379 subdivisions, all insurance companies, state banks and trust
3380 companies, national banking associations, savings banks, savings and
3381 loan associations, investment companies, executors, administrators,
3382 trustees and other fiduciaries may properly and legally invest funds,
3383 including capital in their control or belonging to them, and (B)
3384 securities which may properly and legally be deposited with and
3385 received by any state or municipal officer or any agency or political
3386 subdivision of the state for any purpose for which the deposit of bonds
3387 or obligations of the state is now or may be authorized.

3388 (6) Rate reduction bonds, other than economic recovery revenue
3389 bonds, shall mature at such time or times approved by the authority in
3390 the financing order; provided that such maturity shall not be later than
3391 December 31, 2011. Economic recovery revenue bonds shall mature at
3392 such time or times approved by the authority in the financing order,
3393 provided such maturity shall not be later than eight years after the
3394 date of issuance, provided such maturity may be extended for
3395 economic reasons, upon the advice of the financing entity.

3396 (7) Rate reduction bonds issued and at any time outstanding may, if

3397 and to the extent permitted under the indenture or other agreement
3398 pursuant to which they are issued, be refunded by other rate reduction
3399 bonds.

3400 Sec. 90. Section 16-245k of the general statutes is repealed and the
3401 following is substituted in lieu thereof (*Effective from passage*):

3402 (a) A security interest in transition property is valid, is enforceable
3403 against the pledgor and third parties, subject to the rights of any third
3404 parties holding security interests in the transition property perfected in
3405 the manner described in this section, and attaches when all of the
3406 following have taken place:

3407 (1) The authority has issued the financing order authorizing the
3408 competitive transition assessment included in the transition property.

3409 (2) Value has been given by the pledgees of the transition property.

3410 (3) The pledgor has signed a security agreement covering the
3411 transition property.

3412 (b) A valid and enforceable security interest in transition property is
3413 perfected when it has attached and when a financing statement has
3414 been filed in accordance with part 5 of article 9 of title 42a naming the
3415 pledgor of the transition property as "debtor" and identifying the
3416 transition property. In such case, the financing statement shall be filed
3417 as if the debtor were located in this state. Any description of the
3418 transition property shall be sufficient if it refers to the financing order
3419 creating the transition property. A copy of the financing statement
3420 shall be filed with the authority by the [electric company or] electric
3421 distribution company or the financing entity that is the pledgor or
3422 transferor of the transition property, and the authority may require the
3423 [electric company or] electric distribution company or the financing
3424 entity to make other filings with respect to the security interest in
3425 accordance with procedures it may establish, provided that the filings
3426 shall not affect the perfection of the security interest.

3427 (c) A perfected security interest in transition property is a

3428 continuously perfected security interest in all revenues and proceeds
3429 arising with respect thereto, whether or not the revenues or proceeds
3430 have accrued. Conflicting security interests shall rank according to
3431 priority in time of perfection. Transition property shall constitute
3432 property for all purposes, including for contracts securing rate
3433 reduction bonds, whether or not the revenues and proceeds arising
3434 with respect thereto have accrued.

3435 (d) Subject to the terms of the security agreement covering the
3436 transition property and the rights of any third parties holding security
3437 interests in the transition property perfected in the manner described
3438 in this section, the validity and relative priority of a security interest
3439 created under this section are not defeated or adversely affected by the
3440 commingling of revenues arising with respect to the transition
3441 property with other funds of the [electric company or] electric
3442 distribution company that is the pledgor or transferor of, or the
3443 collection agent with respect to, the transition property, or by any
3444 security interest in a deposit account of that [electric company or]
3445 electric distribution company into which the revenues are deposited or
3446 in such revenues themselves perfected under article 9 of title 42a or
3447 otherwise. Subject to the terms of the security agreement, the pledgees
3448 of the transition property shall have a perfected security interest in all
3449 cash and deposit accounts of the [electric company or] electric
3450 distribution company in which revenues arising with respect to the
3451 transition property have been commingled with other funds, but the
3452 perfected security interest shall be limited to an amount not greater
3453 than the amount of the revenues with respect to the transition property
3454 received by the [electric company or] electric distribution company
3455 within twelve months before (1) any default under the security
3456 agreement, or (2) the institution of insolvency proceedings by or
3457 against the [electric company or] electric distribution company, less
3458 payments from the revenues to the pledgees during that twelve-month
3459 period.

3460 (e) If an event of default occurs under the security agreement
3461 covering the transition property, the pledgees of the transition

3462 property, subject to the terms of the security agreement, shall have all
3463 rights and remedies of a secured party upon default under article 9 of
3464 title 42a, and shall be entitled to foreclose or otherwise enforce their
3465 security interest in the transition property, subject to the rights of any
3466 third parties holding prior security interests in the transition property
3467 perfected in the manner provided in this section. In addition, the
3468 authority may require, in the financing order creating the transition
3469 property, that, in the event of default by the [electric company or]
3470 electric distribution company in payment of revenues arising with
3471 respect to the transition property, the authority and any successor
3472 thereto, upon the application by the pledgees or transferees, including
3473 transferees under this section, of the transition property, and without
3474 limiting any other remedies available to the pledgees or transferees by
3475 reason of the default, shall order the sequestration and payment to the
3476 pledgees or transferees of revenues arising with respect to the
3477 transition property. Any order shall remain in full force and effect
3478 notwithstanding any bankruptcy, reorganization, or other insolvency
3479 proceedings with respect to the debtor, pledgor, or transferor of the
3480 transition property. Any surplus in excess of amounts necessary to pay
3481 principal, premium, if any, interest, costs, and arrearages on the rate
3482 reduction bonds, and other costs arising under the security agreement,
3483 shall be remitted to the debtor or to the pledgor or transferor.

3484 (f) Sections 42a-9-204 and 42a-9-205 shall apply to a pledge of
3485 transition property by an [electric company or] electric distribution
3486 company, an affiliate of an [electric company or] electric distribution
3487 company, or a financing entity.

3488 (g) This section sets forth the terms by which a consensual security
3489 interest can be created and perfected in the transition property. Unless
3490 otherwise ordered by the authority with respect to any series of rate
3491 reduction bonds on or prior to the issuance of the series, there shall
3492 exist a statutory lien as provided in this subsection. Upon the effective
3493 date of the financing order, there shall exist a first priority lien on all
3494 transition property then existing or thereafter arising pursuant to the
3495 terms of the financing order. This lien shall arise by operation of this

3496 section automatically without any action on the part of the [electric
3497 company or] electric distribution company, any affiliate thereof, the
3498 financing entity, or any other person. This lien shall secure all
3499 obligations, then existing or subsequently arising, to the holders of the
3500 rate reduction bonds issued pursuant to the financing order, the
3501 trustee or representative for the holders, and any other entity specified
3502 in the financing order. The persons for whose benefit this lien is
3503 established shall, upon the occurrence of any defaults specified in the
3504 financing order, have all rights and remedies of a secured party upon
3505 default under article 9 of title 42a, and shall be entitled to foreclose or
3506 otherwise enforce this statutory lien in the transition property. This
3507 lien shall attach to the transition property regardless of who shall own,
3508 or shall subsequently be determined to own, the transition property
3509 including any [electric company or] electric distribution company, any
3510 affiliate thereof, the financing entity, or any other person. This lien
3511 shall be valid, perfected, and enforceable against the owner of the
3512 transition property and all third parties upon the effectiveness of the
3513 financing order without any further public notice; provided, however,
3514 that any person may, but shall not be required to, file a financing
3515 statement in accordance with subsection (b) of this section. Financing
3516 statements so filed may be "protective filings" and shall not be
3517 evidence of the ownership of the transition property. A perfected
3518 statutory lien in transition property is a continuously perfected lien in
3519 all revenues and proceeds arising with respect thereto, whether or not
3520 the revenues or proceeds have accrued. Conflicting liens shall rank
3521 according to priority in time of perfection. Transition property shall
3522 constitute property for all purposes, including for contracts securing
3523 rate reduction bonds, whether or not the revenues and proceeds
3524 arising with respect thereto have accrued. In addition, the authority
3525 may require, in the financing order creating the transition property,
3526 that, in the event of default by the [electric company or] electric
3527 distribution company in payment of revenues arising with respect to
3528 transition property, the authority and any successor thereto, upon the
3529 application by the beneficiaries of the statutory lien, and without
3530 limiting any other remedies available to the beneficiaries by reason of

3531 the default, shall order the sequestration and payment to the
3532 beneficiaries of revenues arising with respect to the transition
3533 property. Any order shall remain in full force and effect
3534 notwithstanding any bankruptcy, reorganization, or other insolvency
3535 proceedings with respect to the debtor, pledgor, or transferor of the
3536 transition property. Any surplus in excess of amounts necessary to pay
3537 principal, premium, if any, interest, costs, and arrearages on the rate
3538 reduction bonds, and other costs arising in connection with the
3539 documents governing the rate reduction bonds, shall be remitted to the
3540 debtor or to the pledgor or transferor.

3541 (h) A transfer of transition property by an [electric company or]
3542 electric distribution company to an affiliate or to a financing entity, or
3543 by an affiliate of an [electric company or] electric distribution company
3544 or a financing entity to another financing entity, which the parties have
3545 in the governing documentation expressly stated to be a sale or other
3546 absolute transfer, in a transaction approved in a financing order, shall
3547 be treated as an absolute transfer of all of the transferor's right, title,
3548 and interest, as in a true sale, and not as a pledge or other financing, of
3549 the transition property, in each case notwithstanding any contrary
3550 treatment of such transfer for accounting, tax, or other purposes.
3551 Granting to holders of rate reduction bonds a preferred right to
3552 revenues of the [electric company or] electric distribution company or
3553 the financing entity, or the provision by the company of other credit
3554 enhancement with respect to rate reduction bonds, shall not impair or
3555 negate the characterization of any transfer as a true sale, in each case
3556 notwithstanding any contrary treatment of such transfer for
3557 accounting, tax or other purposes.

3558 (i) A transfer of transition property shall be deemed perfected as
3559 against third persons when both of the following have taken place:

3560 (1) The authority has issued the financing order authorizing the
3561 competitive transition assessment included in the transition property.

3562 (2) An assignment of the transition property in writing has been
3563 executed and delivered to the transferee.

3564 (j) As between bona fide assignees of the same right for value
3565 without notice, the assignee first filing a financing statement in
3566 accordance with part 5 of article 9 of title 42a naming the assignor of
3567 the transition property as debtor and identifying the transition
3568 property has priority. In such case, the financing statement shall be
3569 filed as if the debtor were located in this state. Any description of the
3570 transition property shall be sufficient if it refers to the financing order
3571 creating the transition property. A copy of the financing statement
3572 shall be filed by the assignee or the financing entity with the authority,
3573 and the authority may require the assignor or the assignee or the
3574 financing entity to make other filings with respect to the transfer in
3575 accordance with procedures it may establish, but these filings shall not
3576 affect the perfection of the transfer.

3577 (k) Any successor to the [electric company or] electric distribution
3578 company, whether pursuant to any bankruptcy, reorganization, or
3579 other insolvency proceeding, or pursuant to any merger, sale, or
3580 transfer, by operation of law, or otherwise, shall perform and satisfy all
3581 obligations of the [electric company or] electric distribution company
3582 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this
3583 act, in the same manner and to the same extent as the [electric
3584 company or] electric distribution company, including, but not limited
3585 to, collecting and paying to the holders of rate reduction bonds or their
3586 representatives or the applicable financing entity revenues arising with
3587 respect to the transition property sold to the applicable financing entity
3588 or pledged to secure rate reduction bonds.

3589 (l) The authority of the Public Utilities Regulatory Authority to issue
3590 financing orders pursuant to sections 16-245e to 16-245k, inclusive, as
3591 amended by this act, shall expire on December 31, 2008, with respect to
3592 bonds other than economic recovery revenue bonds. The authority of
3593 the Public Utilities Regulatory Authority to issue financing orders
3594 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this
3595 act, with respect to economic recovery revenue bonds shall expire on
3596 December 31, 2012. The expiration of such authority shall have no
3597 effect upon financing orders adopted by the Public Utilities Regulatory

3598 Authority pursuant to sections 16-245e to 16-245k, inclusive, as
3599 amended by this act, or any transition property arising therefrom, or
3600 upon the charges authorized to be levied thereunder, or the rights,
3601 interests, and obligations of the [electric company or] electric
3602 distribution company or a financing entity or holders of rate reduction
3603 bonds pursuant to the financing order, or the authority of the Public
3604 Utilities Regulatory Authority to monitor, supervise, or take further
3605 action with respect to the financing order in accordance with the terms
3606 of sections 16-245e to 16-245k, inclusive, as amended by this act, and of
3607 the financing order.

3608 Sec. 91. Subsections (a) to (d), inclusive, of section 16-245o of the
3609 2014 supplement to the general statutes are repealed and the following
3610 is substituted in lieu thereof (*Effective from passage*):

3611 (a) To protect a customer's right to privacy from unwanted
3612 solicitation, each [electric company or] electric distribution company [,
3613 as the case may be,] shall distribute to each customer a form approved
3614 by the Public Utilities Regulatory Authority which the customer shall
3615 submit to the customer's [electric or] electric distribution company in a
3616 timely manner if the customer does not want the customer's name,
3617 address, telephone number and rate class to be released to electric
3618 suppliers. On and after July 1, 1999, each [electric or] electric
3619 distribution company [, as the case may be,] shall make available to all
3620 electric suppliers customer names, addresses, telephone numbers, if
3621 known, and rate class, unless the [electric company or] electric
3622 distribution company has received a form from a customer requesting
3623 that such information not be released. Additional information about a
3624 customer for marketing purposes shall not be released to any electric
3625 supplier unless a customer consents to a release by one of the
3626 following: (1) An independent third-party telephone verification; (2)
3627 receipt of a written confirmation received in the mail from the
3628 customer after the customer has received an information package
3629 confirming any telephone agreement; (3) the customer signs a
3630 document fully explaining the nature and effect of the release; or (4)
3631 the customer's consent is obtained through electronic means,

3632 including, but not limited to, a computer transaction.

3633 (b) All electric suppliers shall have equal access to customer
3634 information required to be disclosed under subsection (a) of this
3635 section. No electric supplier shall have preferential access to historical
3636 distribution company customer usage data.

3637 (c) No [electric or] electric distribution company shall include in any
3638 bill or bill insert anything that directly or indirectly promotes a
3639 generation entity or affiliate of the electric distribution company. No
3640 electric supplier shall include a bill insert in an electric bill of an
3641 electric distribution company.

3642 (d) All marketing information provided pursuant to the provisions
3643 of this section shall be formatted electronically by the [electric
3644 company or] electric distribution company [, as the case may be,] in a
3645 form that is readily usable by standard commercial software packages.
3646 Updated lists shall be made available within a reasonable time, as
3647 determined by the authority, following a request by an electric
3648 supplier. Each electric supplier seeking the information shall pay a fee
3649 to the [electric company or] electric distribution company [, as the case
3650 may be,] which reflects the incremental costs of formatting, sorting and
3651 distributing this information, together with related software changes.
3652 Customers shall be entitled to any available individual information
3653 about their loads or usage at no cost.

3654 Sec. 92. Subsection (a) of section 16-245p of the 2014 supplement to
3655 the general statutes is repealed and the following is substituted in lieu
3656 thereof (*Effective from passage*):

3657 (a) An electric supplier and an electric distribution company
3658 providing standard service or back-up electric generation service,
3659 pursuant to section 16-244c, as amended by this act, shall submit
3660 information to the Public Utilities Regulatory Authority that the
3661 authority determines will assist customers in making informed
3662 decisions when choosing an electric supplier, including, but not
3663 limited to, the information provided in subsection (b) of this section.

3664 Each supplier or electric distribution company providing standard
3665 service or back-up electric generation service, pursuant to section 16-
3666 244c, as amended by this act, shall, at such times as the authority
3667 requires, but not less than annually, submit in a form prescribed by the
3668 authority, information that the authority must make available
3669 pursuant to subsection (b) of this section and any other information the
3670 authority considers relevant. After the authority has received the
3671 information required pursuant to this subsection, the supplier shall be
3672 eligible to receive customer marketing information from [electric or]
3673 electric distribution companies, as provided in section 16-245o, as
3674 amended by this act.

3675 Sec. 93. Subsection (a) of section 16-245y of the 2014 supplement to
3676 the general statutes is repealed and the following is substituted in lieu
3677 thereof (*Effective from passage*):

3678 (a) Not later than October 1, 1999, and annually thereafter, each
3679 [electric company and] electric distribution company, as defined in
3680 section 16-1, as amended by this act, shall report to the Public Utilities
3681 Regulatory Authority its system average interruption duration index
3682 (SAIDI) and its system average interruption frequency index (SAIFI)
3683 for the preceding twelve months. For purposes of this section: (1)
3684 Interruptions shall not include outages attributable to major storms,
3685 scheduled outages and outages caused by customer equipment, each
3686 as determined by the authority; (2) SAIDI shall be calculated as the
3687 sum of customer interruptions in the preceding twelve-month period,
3688 in minutes, divided by the average number of customers served
3689 during that period; and (3) SAIFI shall be calculated as the total
3690 number of customers interrupted in the preceding twelve-month
3691 period, divided by the average number of customers served during
3692 that period. Not later than January 1, 2000, and annually thereafter, the
3693 authority shall report on the SAIDI and SAIFI data for each [electric
3694 company and] electric distribution company, and all state-wide SAIDI
3695 and SAIFI data to the joint standing committee of the General
3696 Assembly having cognizance of matters relating to energy.

3697 Sec. 94. Section 16-245ii of the general statutes is repealed and the
3698 following is substituted in lieu thereof (*Effective from passage*):

3699 Commencing January 1, 2012, each electric distribution [, electric]
3700 and gas company shall maintain and make available to the public, free
3701 of charge, records of the energy consumption data of all typical
3702 nonresidential buildings to which such company provides service. This
3703 data shall be maintained in a format (1) compatible for uploading to
3704 the United States Environmental Protection Agency's Energy Star
3705 portfolio manager or similar system, for at least the most recent thirty-
3706 six months, and (2) that preserves the confidentiality of the customer.

3707 Sec. 95. Section 16-245jj of the general statutes is repealed and the
3708 following is substituted in lieu thereof (*Effective from passage*):

3709 Commencing January 1, 2012, each electric distribution [, electric]
3710 and gas company shall provide aggregate town customer usage
3711 information by customer class that preserves the confidentiality of
3712 individual customers to any legislative body of a municipality that
3713 requests such information.

3714 Sec. 96. Subsection (a) of section 16-246e of the general statutes is
3715 repealed and the following is substituted in lieu thereof (*Effective from*
3716 *passage*):

3717 (a) The Governor may designate the Public Utilities Regulatory
3718 Authority as the agent of the state, subject only to the limitation under
3719 subsection (b) of this section, to conduct negotiations and perform all
3720 acts necessary to procure electric power capacity, power output from
3721 such capacity or both from any out-of-state electric power producer, to
3722 transmit it to within the state and to sell or resell it on a nonprofit basis
3723 for distribution within the state to electric distribution companies, as
3724 defined in section 16-1, as amended by this act, municipal electric
3725 utilities established under chapter 101, municipal electric energy
3726 cooperatives organized under chapter 101a, membership electric
3727 cooperatives organized under chapter 597 and such other persons or
3728 entities as may be designated by the Governor. The authority, if

3729 designated as such agent, shall arrange for the sale or resale of such
3730 power on an equitable basis and in such manner as it finds will most
3731 effectively promote the objectives of this title, chapters 101, 101a and
3732 597, and section 16a-35k, subject to any conditions or limitations
3733 imposed by the out-of-state electric power producer selling such
3734 power. The authority, if so designated, may also enter into any
3735 contracts or other arrangements for the sale or resale of such power for
3736 transmission outside the state if such sale or resale is reasonably
3737 incidental to and furthers the needs of the state and the purposes of
3738 this section.

3739 Sec. 97. Section 16-246f of the general statutes is repealed and the
3740 following is substituted in lieu thereof (*Effective from passage*):

3741 (a) As used in this section:

3742 (1) "Assistance" means any aid or support provided, or any actions
3743 taken by a domestic electric company for or on behalf of another
3744 domestic electric company or by a foreign electric company for or on
3745 behalf of a domestic electric company including, without limitation,
3746 the temporary transfer or use of repair personnel and equipment;

3747 (2) "Domestic electric company" means any [electric company or]
3748 electric distribution company, as defined in section 16-1, as amended
3749 by this act, any membership electric cooperative organized under
3750 chapter 597 and any municipal electric utility or municipal electric
3751 energy cooperative, as defined respectively in section 7-233b, which
3752 has been chartered by or organized or constituted within or under the
3753 laws of this state;

3754 (3) "Foreign electric company" [shall have the same meaning as
3755 provided in section 16-246a] means a corporation, company,
3756 association, joint stock association or trust organized under the laws of
3757 a state other than this state, as well as a town, city, borough, or any
3758 municipal corporation, department or agency thereof, whether
3759 separately incorporated or not, of a state other than this state,
3760 authorized under the laws of the state in which organized to generate

3761 or transmit electric energy.

3762 (b) Notwithstanding any contrary provision of any general statute
3763 or special act, or any limitation imposed by its charter, a domestic
3764 electric company shall have the power to request assistance from and
3765 provide assistance to other domestic electric companies and to foreign
3766 electric companies and to enter into agreements regarding the
3767 reimbursement of expenses and other matters and to perform such
3768 other acts as may be necessary or desirable to request and provide
3769 such assistance. A domestic electric company shall not be exempt from
3770 nor forfeit the benefits of the provisions of any applicable laws solely
3771 by requesting or providing such assistance, except as provided in this
3772 section.

3773 (c) Notwithstanding any contrary provision of any general statute
3774 or special act, a foreign electric company shall have the right to request
3775 assistance from and provide assistance to domestic electric companies
3776 and to enter into agreements regarding the reimbursement of expenses
3777 and other matters and to perform such other acts as may be necessary
3778 or desirable to request and provide such assistance. A foreign electric
3779 company shall not constitute an ["electric company"] "electric
3780 distribution company" or a "public service company" for the purposes
3781 of this title solely by requesting or providing assistance in this state.

3782 Sec. 98. Subsections (a) to (c), inclusive, of section 16-259a of the
3783 general statutes are repealed and the following is substituted in lieu
3784 thereof (*Effective from passage*):

3785 (a) No [electric,] electric distribution, gas or water company or
3786 electric supplier, which inaccurately bills a retail customer for service
3787 may bill or otherwise hold the customer financially liable for more
3788 than one year after the customer receives such service, unless the
3789 customer, either alone or with an individual other than an employee of
3790 the company, by an affirmative act, is responsible for the inaccurate
3791 billing or fails to provide for reasonable access to the premises where
3792 the company's meter is located by an employee of the company during
3793 business hours for the purpose of reading the meter.

3794 (b) Any such [electric,] electric distribution, gas or water company
3795 or electric supplier which inaccurately bills a retail customer for
3796 service may bill or otherwise hold the customer financially liable for
3797 not more than one year after the customer receives such service, unless
3798 a delayed bill for the service (1) would deprive the customer of the
3799 opportunity to apply for or receive energy assistance or (2) is the result
3800 of the customer's meter erroneously registering another customer's
3801 consumption, in which case the company may not bill or otherwise
3802 hold the customer liable for the service provided to another customer.

3803 (c) No telephone company or certified telecommunications provider
3804 that inaccurately bills a retail customer for service may bill or
3805 otherwise hold the customer financially liable for more than two years
3806 or the time provided in federal law, whichever is longer, after the
3807 customer receives such service, unless the customer, either alone or
3808 with a person other than an employee of the telephone company or
3809 certified telecommunications provider by an affirmative act, is
3810 responsible for the inaccurate billing.

3811 Sec. 99. Section 16-261 of the general statutes is repealed and the
3812 following is substituted in lieu thereof (*Effective from passage*):

3813 (a) The Public Utilities Regulatory Authority shall order and direct
3814 the [electric and] electric distribution companies providing electric
3815 distribution services in this state to extend lines in their chartered
3816 territory to all unserved areas having a density of subscribers for
3817 electric distribution service averaging at least two per mile on such
3818 proposed new lines, in accordance with the provisions of this section.

3819 (b) The Public Utilities Regulatory Authority is directed, in
3820 considering the rates of [electric or] electric distribution companies or
3821 in the proceedings having to do with such rates, to consider the
3822 expenses and revenues of each company as a whole, in arriving at a
3823 fair return on the fair value of such properties. In prescribing a rate for
3824 service on such new lines, the authority shall exercise its statutory
3825 powers, except that the guarantee required shall not exceed thirteen
3826 dollars and fifty cents per mile per month.

3827 (c) The Public Utilities Regulatory Authority is directed to advance
3828 the objects of this section in every lawful manner.

3829 (d) Nothing in this section shall authorize the Public Utilities
3830 Regulatory Authority to order and direct [electric or] electric
3831 distribution companies to extend their lines in their chartered territory
3832 over or under any body of water or elsewhere than along public
3833 highways unless said authority, exercising its powers under section 16-
3834 20, finds such extension to be economically justifiable.

3835 Sec. 100. Section 16-262c of the 2014 supplement to the general
3836 statutes is repealed and the following is substituted in lieu thereof
3837 (*Effective from passage*):

3838 (a) Notwithstanding any other provision of the general statutes no
3839 [electric,] electric distribution, gas, telephone or water company, no
3840 electric supplier or certified telecommunications provider, and no
3841 municipal utility furnishing electric, gas, telephone or water service
3842 shall cause cessation of any such service by reason of delinquency in
3843 payment for such service (1) on any Friday, Saturday, Sunday, legal
3844 holiday or day before any legal holiday, provided such a company,
3845 electric supplier, certified telecommunications provider or municipal
3846 utility may cause cessation of such service to a nonresidential account
3847 on a Friday which is not a legal holiday or the day before a legal
3848 holiday when the business offices of the company, electric supplier,
3849 certified telecommunications provider or municipal utility are open to
3850 the public the succeeding Saturday, (2) at any time during which the
3851 business offices of said company, electric supplier, certified
3852 telecommunications provider or municipal utility are not open to the
3853 public, or (3) within one hour before the closing of the business offices
3854 of said company, electric supplier or municipal utility.

3855 (b) (1) From November first to May first, inclusive, no [electric or]
3856 electric distribution company, as defined in section 16-1, as amended
3857 by this act, no electric supplier and no municipal utility furnishing
3858 electricity shall terminate, deny or refuse to reinstate residential
3859 electric service in hardship cases where the customer lacks the

3860 financial resources to pay his or her entire account. From November
3861 first to May first, inclusive, no gas company and no municipal utility
3862 furnishing gas shall terminate, deny or refuse to reinstate residential
3863 gas service in hardship cases where the customer uses such gas for
3864 heat and lacks the financial resources to pay his or her entire account,
3865 except a gas company that, between May second and October thirty-
3866 first, terminated gas service to a residential customer who uses gas for
3867 heat and who, during the previous period of November first to May
3868 first, had gas service maintained because of hardship status, may
3869 refuse to reinstate the gas service from November first to May first,
3870 inclusive, only if the customer has failed to pay, since the preceding
3871 November first, the lesser of: (A) Twenty per cent of the outstanding
3872 principal balance owed the gas company as of the date of termination,
3873 (B) one hundred dollars, or (C) the minimum payments due under the
3874 customer's amortization agreement. Notwithstanding any other
3875 provision of the general statutes to the contrary, no [electric,] electric
3876 distribution or gas company, no electric supplier and no municipal
3877 utility furnishing electricity or gas shall terminate, deny or refuse to
3878 reinstate residential electric or gas service where the customer lacks the
3879 financial resources to pay his or her entire account and for which
3880 customer or a member of the customer's household the termination,
3881 denial of or failure to reinstate such service would create a life-
3882 threatening situation. No [electric,] electric distribution or gas
3883 company, no electric supplier and no municipal utility furnishing
3884 electricity or gas shall terminate, deny or refuse to reinstate residential
3885 electric or gas service where the customer is a hardship case and lacks
3886 the financial resources to pay his or her entire account and a child not
3887 more than twenty-four months old resides in the customer's household
3888 and such child has been admitted to the hospital and received
3889 discharge papers on which the attending physician or an advanced
3890 practice registered nurse has indicated such service is a necessity for
3891 the health and well being of such child.

3892 (2) During any period in which a residential customer is subject to
3893 termination, an [electric,] electric distribution or gas company, an
3894 electric supplier or a municipal utility furnishing electricity or gas shall

3895 provide such residential customer whose account is delinquent an
3896 opportunity to enter into a reasonable amortization agreement with
3897 such company, electric supplier or utility to pay such delinquent
3898 account and to avoid termination of service. Such amortization
3899 agreement shall allow such customer adequate opportunity to apply
3900 for and receive the benefits of any available energy assistance
3901 program. An amortization agreement shall be subject to amendment
3902 on customer request if there is a change in the customer's financial
3903 circumstances.

3904 (3) As used in this section, (A) "household income" means the
3905 combined income over a twelve-month period of the customer and all
3906 adults, except children of the customer, who are and have been
3907 members of the household for six months or more, and (B) "hardship
3908 case" includes, but is not limited to: (i) A customer receiving local, state
3909 or federal public assistance; (ii) a customer whose sole source of
3910 financial support is Social Security, Veterans' Administration or
3911 unemployment compensation benefits; (iii) a customer who is head of
3912 the household and is unemployed, and the household income is less
3913 than three hundred per cent of the poverty level determined by the
3914 federal government; (iv) a customer who is seriously ill or who has a
3915 household member who is seriously ill; (v) a customer whose income
3916 falls below one hundred twenty-five per cent of the poverty level
3917 determined by the federal government; and (vi) a customer whose
3918 circumstances threaten a deprivation of food and the necessities of life
3919 for himself or dependent children if payment of a delinquent bill is
3920 required.

3921 (4) In order for a residential customer of a gas or electric distribution
3922 company using gas or electricity for heat to be eligible to have any
3923 moneys due and owing deducted from the customer's delinquent
3924 account pursuant to this subdivision, the company furnishing gas or
3925 electricity shall require that the customer (A) apply and be eligible for
3926 benefits available under the Connecticut energy assistance program or
3927 state appropriated fuel assistance program; (B) authorize the company
3928 to send a copy of the customer's monthly bill directly to any energy

3929 assistance agency for payment; (C) enter into and comply with an
3930 amortization agreement, which agreement is consistent with decisions
3931 and policies of the Public Utilities Regulatory Authority. Such an
3932 amortization agreement shall reduce a customer's payment by the
3933 amount of the benefits reasonably anticipated from the Connecticut
3934 energy assistance program, state appropriated fuel assistance program
3935 or other energy assistance sources. Unless the customer requests
3936 otherwise, the company shall budget a customer's payments over a
3937 twelve-month period with an affordable increment to be applied to
3938 any arrearage, provided such payment plan will not result in loss of
3939 any energy assistance benefits to the customer. If a customer
3940 authorizes the company to send a copy of his monthly bill directly to
3941 any energy assistance agency for payment, the energy assistance
3942 agency shall make payments directly to the company. If, on April
3943 thirtieth, a customer has been in compliance with the requirements of
3944 subparagraphs (A) to (C), inclusive, of this subdivision, during the
3945 period starting on the preceding November first, or from such time as
3946 the customer's account becomes delinquent, the company shall deduct
3947 from such customer's delinquent account an additional amount equal
3948 to the amount of money paid by the customer between the preceding
3949 November first and April thirtieth and paid on behalf of the customer
3950 through the Connecticut energy assistance program and state
3951 appropriated fuel assistance program. Any customer in compliance
3952 with the requirements of subparagraphs (A) to (C), inclusive, of this
3953 subdivision, on April thirtieth who continues to comply with an
3954 amortization agreement through the succeeding October thirty-first,
3955 shall also have an amount equal to the amount paid pursuant to such
3956 agreement and any amount paid on behalf of such customer between
3957 May first and the succeeding October thirty-first deducted from the
3958 customer's delinquent account. In no event shall the deduction of any
3959 amounts pursuant to this subdivision result in a credit balance to the
3960 customer's account. No customer shall be denied the benefits of this
3961 subdivision due to an error by the company. The Public Utilities
3962 Regulatory Authority shall allow the amounts deducted from the
3963 customer's account pursuant to the implementation plan, described in

3964 subdivision (5) of this subsection, to be recovered by the company in
3965 its rates as an operating expense, pursuant to said implementation
3966 plan. If the customer fails to comply with the terms of the amortization
3967 agreement or any decision of the authority rendered in lieu of such
3968 agreement and the requirements of subparagraphs (A) to (C),
3969 inclusive, of this subdivision, the company may terminate service to
3970 the customer, pursuant to all applicable regulations, provided such
3971 termination shall not occur between November first and May first.

3972 (5) Each gas and electric distribution company shall submit to the
3973 Public Utilities Regulatory Authority annually, on or before July first,
3974 an implementation plan which shall include information concerning
3975 amortization agreements, counseling, reinstatement of eligibility, rate
3976 impacts and any other information deemed relevant by the authority.
3977 The Public Utilities Regulatory Authority may, in consultation with the
3978 Office of Policy and Management, approve or modify such plan within
3979 ninety days of receipt of the plan. If the authority does not take any
3980 action on such plan within ninety days of its receipt, the plan shall
3981 automatically take effect at the end of the ninety-day period, provided
3982 the authority may extend such period for an additional thirty days by
3983 notifying the company before the end of the ninety-day period. Any
3984 amount recovered by a company in its rates pursuant to this
3985 subsection shall not include any amount approved by the Public
3986 Utilities Regulatory Authority as an uncollectible expense. The
3987 authority may deny all or part of the recovery required by this
3988 subsection if it determines that the company seeking recovery has been
3989 imprudent, inefficient or acting in violation of statutes or regulations
3990 regarding amortization agreements.

3991 (6) On or after January 1, 1993, the Public Utilities Regulatory
3992 Authority may require gas companies to expand the provisions of
3993 subdivisions (4) and (5) of this subsection to all hardship customers.
3994 Any such requirement shall not be effective until November 1, 1993.

3995 (7) (A) All [electric,] electric distribution and gas companies, electric
3996 suppliers and municipal utilities furnishing electricity or gas shall

3997 collaborate in developing, subject to approval by the Public Utilities
3998 Regulatory Authority, standard provisions for the notice of
3999 delinquency and impending termination under subsection (a) of
4000 section 16-262d, as amended by this act. Each such company and
4001 utility shall place on the front of such notice a provision that the
4002 company, electric supplier or utility shall not effect termination of
4003 service to a residential dwelling for nonpayment of disputed bills
4004 during the pendency of any complaint. In addition, the notice shall
4005 state that the customer must pay current and undisputed bill amounts
4006 during the pendency of the complaint. (B) At the beginning of any
4007 discussion with a customer concerning a reasonable amortization
4008 agreement, any such company or utility shall inform the customer (i)
4009 of the availability of a process for resolving disputes over what
4010 constitutes a reasonable amortization agreement, (ii) that the company,
4011 electric supplier or utility will refer such a dispute to one of its review
4012 officers as the first step in attempting to resolve the dispute, and (iii)
4013 that the company, electric supplier or utility shall not effect
4014 termination of service to a residential dwelling for nonpayment of a
4015 delinquent account during the pendency of any complaint,
4016 investigation, hearing or appeal initiated by the customer, unless the
4017 customer fails to pay undisputed bills, or undisputed portions of bills,
4018 for service received during such period. (C) Each such company,
4019 electric supplier and utility shall inform and counsel all customers who
4020 are hardship cases as to the availability of all public and private energy
4021 conservation programs, including programs sponsored or subsidized
4022 by such companies and utilities, eligibility criteria, where to apply, and
4023 the circumstances under which such programs are available without
4024 cost.

4025 (8) The Public Utilities Regulatory Authority shall adopt regulations
4026 in accordance with chapter 54 to carry out the provisions of this
4027 subsection. Such regulations shall include, but not be limited to,
4028 criteria for determining hardship cases and for reasonable
4029 amortization agreements, including appeal of such agreements, for
4030 categories of customers. Such regulations may include the
4031 establishment of a reasonable rate of interest which a company may

4032 charge on the unpaid balance of a customer's delinquent bill and a
4033 description of the relationship and responsibilities of electric suppliers
4034 to customers.

4035 (c) Each [electric,] electric distribution and gas company, electric
4036 supplier and municipal utility shall, not later than December first,
4037 annually, submit a report to the authority and the General Assembly
4038 indicating (1) the number of customers in each of the following
4039 categories and the total delinquent balances for such customers as of
4040 the preceding May first: (A) Customers who are hardship cases and (i)
4041 who made arrangements for reasonable amortization agreements, (ii)
4042 who did not make such arrangements, and (B) customers who are
4043 nonhardship cases and who made arrangements for reasonable
4044 amortization, (2) (A) the number of heating customers receiving
4045 energy assistance during the preceding heating season and the total
4046 amount of such assistance, and (B) the total balance of the accounts of
4047 such customers after all energy assistance is applied to the accounts,
4048 (3) the number of hardship cases reinstated between November first of
4049 the preceding year and May first of the same year, the number of
4050 hardship cases terminated between May first of the same year and
4051 November first and the number of hardship cases reinstated during
4052 each month from May to November, inclusive, of the same year, (4) the
4053 number of reasonable amortization agreements executed and the
4054 number breached during the same year by (A) hardship cases, and (B)
4055 nonhardship cases, and (5) the number of accounts of (A) hardship
4056 cases, and (B) nonhardship cases for which part or all of the
4057 outstanding balance is written off as uncollectible during the
4058 preceding year and the total amount of such uncollectibles.

4059 (d) Nothing in this section shall (1) prohibit a public service
4060 company, electric supplier or municipal utility from terminating
4061 residential utility service upon request of the customer or in
4062 accordance with section 16-262d, as amended by this act, upon default
4063 by the customer on an amortization agreement or collecting delinquent
4064 accounts through legal processes, including the processes authorized
4065 by section 16-262f, as amended by this act, or (2) relieve such company,

4066 electric supplier or municipal utility of its responsibilities set forth in
4067 sections 16-262d, as amended by this act, and 16-262e, as amended by
4068 this act, to occupants of residential dwellings or, with respect to a
4069 public service company or electric supplier, the responsibilities set
4070 forth in section 19a-109.

4071 (e) No provision of the Freedom of Information Act, as defined in
4072 section 1-200, shall be construed to require or permit a municipal
4073 utility furnishing electric, gas or water service, a municipality
4074 furnishing water or sewer service, a district established by special act
4075 or pursuant to chapter 105 and furnishing water or sewer service or a
4076 regional authority established by special act to furnish water or sewer
4077 service to disclose records under the Freedom of Information Act, as
4078 defined in section 1-200, which identify or could lead to identification
4079 of the utility usage or billing information of individual customers, to
4080 the extent such disclosure would constitute an invasion of privacy.
4081 Nothing in this section prohibits the disclosure of delinquencies or
4082 enforcement actions.

4083 (f) If an electric supplier suffers a loss of revenue by operation of
4084 this section, the supplier may make a claim for such revenue to the
4085 authority. The electric distribution company shall reimburse the
4086 electric supplier for such losses found to be reasonable by the authority
4087 at the lower of (1) the price of the contract between the supplier and
4088 the customer, or (2) the electric distribution company's price to
4089 customers for default service, as determined by the authority. The
4090 electric distribution company may recover such reimbursement, along
4091 with transaction costs, through the systems benefits charge.

4092 Sec. 101. Subsection (a) of section 16-262d of the general statutes is
4093 repealed and the following is substituted in lieu thereof (*Effective from*
4094 *passage*):

4095 (a) No [electric,] electric distribution, gas, telephone or water
4096 company, no electric supplier and no municipal utility furnishing
4097 electric, gas or water service may terminate such service to a
4098 residential dwelling on account of nonpayment of a delinquent

4099 account unless such company, electric supplier or municipal utility
4100 first gives notice of such delinquency and impending termination by
4101 first class mail addressed to the customer to which such service is
4102 billed, at least thirteen calendar days prior to the proposed
4103 termination, except that if an [electric,] electric distribution or gas
4104 company, electric supplier or municipal utility furnishing electric or
4105 gas service has issued a notice under this subsection but has not
4106 terminated service prior to issuing a new bill to the customer, such
4107 company, electric supplier or municipal utility may terminate such
4108 service only after mailing the customer an additional notice of the
4109 impending termination, addressed to the customer to which such
4110 service is billed either (1) by first class mail at least thirteen calendar
4111 days prior to the proposed termination, or (2) by certified mail, at least
4112 seven calendar days prior to the proposed termination. In the event
4113 that multiple dates of proposed termination are provided to a
4114 customer, no such company, electric supplier or municipal utility shall
4115 terminate service prior to the latest of such dates. For purposes of this
4116 subsection, the thirteen-day periods and seven-day period shall
4117 commence on the date such notice is mailed. If such company, electric
4118 supplier or municipal utility does not terminate service within one
4119 hundred twenty days after mailing the initial notice of termination,
4120 such company, electric supplier or municipal utility shall give the
4121 customer a new notice at least thirteen days prior to termination. Every
4122 termination notice issued by a public service company, electric
4123 supplier or municipal utility shall contain or be accompanied by an
4124 explanation of the rights of the customer provided in subsection (c) of
4125 this section.

4126 Sec. 102. Subsection (a) of section 16-262e of the 2014 supplement to
4127 the general statutes is repealed and the following is substituted in lieu
4128 thereof (*Effective from passage*):

4129 (a) Notwithstanding the provisions of section 16-262d, as amended
4130 by this act, wherever an owner, agent, lessor or manager of a
4131 residential dwelling is billed directly by an [electric,] electric
4132 distribution, gas, telephone or water company or by a municipal utility

4133 for utility service furnished to such building not occupied exclusively
4134 by such owner, agent, lessor, or manager, and such company or
4135 municipal utility or the electric supplier providing electric generation
4136 services has actual or constructive knowledge that the occupants of
4137 such dwelling are not the individuals to whom the company or
4138 municipal utility usually sends its bills, such company, electric
4139 supplier or municipal utility shall not terminate such service for
4140 nonpayment of a delinquent account owed to such company, electric
4141 supplier or municipal utility by such owner, agent, lessor or manager
4142 unless: (1) Such company, electric supplier or municipal utility makes
4143 a good faith effort to notify the occupants of such building of the
4144 proposed termination by the means most practicable under the
4145 circumstances and best designed to provide actual notice; and (2) such
4146 company, electric supplier or municipal utility provides an
4147 opportunity, where practicable, for such occupants to receive service in
4148 their own names without any liability for the amount due while
4149 service was billed directly to the lessor, owner, agent or manager and
4150 without the necessity for a security deposit; provided, if it is not
4151 practicable for such occupants to receive service in their own names,
4152 the company, electric supplier or municipal utility shall not terminate
4153 service to such residential dwelling but may pursue the remedy
4154 provided in sections 16-262f, as amended by this act, and 16-262t.

4155 Sec. 103. Subsection (a) of section 16-262f of the 2014 supplement to
4156 the general statutes is repealed and the following is substituted in lieu
4157 thereof (*Effective from passage*):

4158 (a) (1) Upon default of the owner, agent, lessor or manager of a
4159 residential dwelling who is billed directly by an [electric,] electric
4160 distribution, gas or telephone company or by a municipal utility for
4161 electric or gas utility service furnished to such building, such company
4162 or municipal utility or electric supplier providing electric generation
4163 services may petition the Superior Court or a judge thereof, for
4164 appointment of a receiver of the rents or payments for use and
4165 occupancy or common expenses, as defined in section 47-202, for any
4166 dwelling for which the owner, agent, lessor or manager is in default.

4167 The court or judge shall forthwith issue an order to show cause why a
4168 receiver should not be appointed, which shall be served upon the
4169 owner, agent, lessor or manager or his agent in a manner most
4170 reasonably calculated to give notice to such owner, agent, lessor or
4171 manager as determined by such court or judge, including, but not
4172 limited to, a posting of such order on the premises in question.

4173 (2) A hearing shall be had on such order no later than seventy-two
4174 hours after its issuance or the first court day thereafter. The sole
4175 purpose of such a hearing shall be to determine whether there is an
4176 amount due and owing between the owner, agent, lessor or manager
4177 and the company, electric supplier or municipal utility. The court shall
4178 make a determination of any amount due and owing and any amount
4179 so determined shall constitute a lien upon the real property of such
4180 owner. A certificate of such amount may be recorded in the land
4181 records of the town in which such property is located describing the
4182 amount of the lien and the name of the party in default. When the
4183 amount due and owing has been paid the company, electric supplier
4184 or municipality shall issue a certificate discharging the lien and shall
4185 file the certificate in the land records of the town in which such lien
4186 was recorded.

4187 (3) The receiver appointed by the court shall collect all rents or
4188 payments for use and occupancy or common expenses forthcoming
4189 from or paid on behalf of the occupants or residents of the building or
4190 facility in question in place of the owner, agent, lessor, manager or
4191 administrator. The receiver may also petition the court to obtain any
4192 remedy available under chapter 906 against such owner, agent, lessor
4193 or manager in order to recover amounts due as determined under
4194 subdivision (2) of this subsection and continuing charges for such
4195 utility service until all such charges and other costs have been paid.

4196 (4) The receiver shall pay the petitioner or other supplier, from such
4197 rents or payments for use and occupancy or common expenses for
4198 electric, gas, telephone, water or heating oil supplied on and after the
4199 date of his appointment. The owner, agent, lessor or manager shall be

4200 liable for such reasonable fees and costs determined by the court to be
4201 due the receiver, which fees and costs may be recovered from the rents
4202 or payments for use and occupancy under the control of the receiver,
4203 provided no such fees or costs shall be recovered until after payment
4204 for current electric, gas, telephone and water service and heating oil
4205 deliveries has been made. The owner, agent, lessor or manager shall be
4206 liable to the petitioner for reasonable attorney's fees and costs incurred
4207 by the petitioner, provided no such fees or costs shall be recovered
4208 until after payment for current electric, gas, telephone and water
4209 service and heating oil deliveries has been made and after payments of
4210 reasonable fees and costs to the receiver. Any moneys from rental
4211 payments or payments for use and occupancy or common expenses
4212 remaining after payment for current electric, gas, telephone and water
4213 service or heating oil deliveries, and after payment for reasonable costs
4214 and fees to the receiver, and after payment to the petitioner for
4215 reasonable attorney's fees and costs, shall be applied to any arrearage
4216 found by the court to be due and owing the company, electric supplier
4217 or municipal utility from the owner, agent, lessor or manager for
4218 service provided such building. Any moneys remaining thereafter
4219 shall be turned over to the owner, agent, lessor or manager. The court
4220 may order an accounting to be made at such times as it determines to
4221 be just, reasonable, and necessary.

4222 Sec. 104. Subsection (b) of section 16-262i of the general statutes is
4223 repealed and the following is substituted in lieu thereof (*Effective from*
4224 *passage*):

4225 (b) The authority may adopt regulations, in accordance with the
4226 provisions of chapter 54, setting forth the terms and conditions under
4227 which [electric,] electric distribution, gas, telephone and water
4228 companies, electric suppliers, certified telecommunications providers
4229 and municipal utilities furnishing electric, gas or water service may be
4230 prohibited from terminating service to a residential dwelling on
4231 account of nonpayment of a delinquent account in the name of the
4232 former spouse or spouse of the individual who occupies the dwelling,
4233 if the marriage of such individuals has been dissolved or annulled or

4234 such individuals are legally separated or have an action for dissolution
4235 or annulment of a marriage or for legal separation pending, pursuant
4236 to chapter 815j.

4237 Sec. 105. Section 16a-37f of the general statutes is repealed and the
4238 following is substituted in lieu thereof (*Effective from passage*):

4239 A budgeted agency, as defined in section 4-69, shall only purchase
4240 replacement light bulbs which (1) are provided under an electric
4241 distribution company's customer lighting efficiency program, (2) are
4242 equivalent in energy efficiency to bulbs provided under such electric
4243 distribution company lighting efficiency program, as determined by
4244 the Commissioner of Energy and Environmental Protection, in
4245 consultation with the Commissioner of Administrative Services, or (3)
4246 meet such other life-cycle cost analysis standards as the Commissioner
4247 of Energy and Environmental Protection, with the concurrence of the
4248 Commissioner of Administrative Services, may designate.

4249 Sec. 106. Subsections (e) and (f) of section 16a-40b of the 2014
4250 supplement to the general statutes are repealed and the following is
4251 substituted in lieu thereof (*Effective from passage*):

4252 (e) The commissioner shall adopt regulations in accordance with
4253 chapter 54, (1) concerning qualifications for such loans or deferred
4254 loans, requirements and limitations as to adjustments of terms and
4255 conditions of repayment and any additional requirements deemed
4256 necessary to carry out the provisions of this section and to assure that
4257 those tax-exempt bonds and notes used to fund such loans or deferred
4258 loans qualify for exemption from federal income taxation, (2)
4259 providing for the maximum feasible availability of such loans or
4260 deferred loans for dwelling units owned or occupied by persons of low
4261 and moderate income, (3) establishing procedures to inform such
4262 persons of the availability of such loans or deferred loans and to
4263 encourage and assist them to apply for such loans or deferred loans,
4264 and (4) providing that (A) the interest payments received from the
4265 recipients of loans or deferred loans made on and after July 1, 1982,
4266 less the expenses incurred by the commissioner in the implementation

4267 of the program of loans, deferred loans and loan guarantees under this
4268 section, and (B) the payments received from electric distribution and
4269 gas companies under subsection (f) of this section shall be applied to
4270 reimburse the General Fund for interest on the outstanding bonds and
4271 notes used to fund such loans or deferred loans made on or after July
4272 1, 1982.

4273 (f) Not later than August first, annually, the commissioner shall
4274 calculate the difference between (1) the weighted average of the
4275 percentage rates of interest payable on all subsidized loans made (A)
4276 after July 1, 1982, from the Energy Conservation Loan Fund, and (B)
4277 from the Housing Repayment and Revolving Loan Fund pursuant to
4278 this section, and (2) the average of the percentage rates of interest on
4279 any bonds and notes issued pursuant to section 3-20, which have been
4280 dedicated to the energy conservation loan program and used to fund
4281 such loans, and multiply such difference by the outstanding amount of
4282 all such loans, or such lesser amount as may be required under Section
4283 103(c) of the Internal Revenue Code of 1986, or any subsequent
4284 corresponding internal revenue code of the United States, as from time
4285 to time amended. The product of such difference and such applicable
4286 amount shall not exceed six per cent of the sum of the outstanding
4287 principal amount at the end of each fiscal year of all loans or deferred
4288 loans made (A) on or after July 1, 1982, from the Energy Conservation
4289 Loan Fund, and (B) from the Housing Repayment and Revolving Loan
4290 Fund pursuant to this section, and the balance remaining in the Energy
4291 Conservation Loan Fund and the balance of energy conservation loan
4292 repayments in the Housing Repayment and Revolving Loan Fund. Not
4293 later than September first, annually, the Public Utilities Regulatory
4294 Authority shall allocate such product among each electric distribution
4295 and gas company having at least seventy-five thousand customers, in
4296 accordance with a formula taking into account, without limitation, the
4297 average number of residential customers of each company. Not later
4298 than October first, annually, each such company shall pay its assessed
4299 amount to the commissioner. The commissioner shall pay to the State
4300 Treasurer for deposit in the General Fund all such payments from
4301 electric distribution and gas companies, and shall adopt procedures to

4302 assure that such payments are not used for purposes other than those
4303 specifically provided in this section. The authority shall include each
4304 company's payment as an operating expense of the company for the
4305 purposes of rate-making under section 16-19, as amended by this act.

4306 Sec. 107. Section 16a-41h of the general statutes is repealed and the
4307 following is substituted in lieu thereof (*Effective from passage*):

4308 (a) (1) Each electric distribution company, gas company and
4309 municipal utility furnishing electric or gas service, shall include in its
4310 monthly bills a request to each customer to add a donation in an
4311 amount designated by the customer to the bill payment. Such
4312 company shall provide to all of its customers the opportunity to
4313 donate one dollar, two dollars, three dollars or another amount on
4314 each bill provided to a customer either through the mail or
4315 electronically. Such designation shall be made available and included
4316 where customers are either electronically billed or bill payment is
4317 handled electronically. The opportunity to donate one dollar, two
4318 dollars, three dollars or another amount shall be included on the bill in
4319 such a way that facilitates such donations.

4320 (2) Operation Fuel, Incorporated, shall provide fundraising inserts
4321 and remittance envelopes to retail dealers of fuel oil that volunteer to
4322 include the inserts and envelopes in their customers' bills for one or
4323 more billing cycles each year. Such retail dealers of fuel oil shall inform
4324 Operation Fuel, Incorporated, as to the number of inserts and
4325 envelopes needed to conduct such a mailing.

4326 (3) Each electric distribution, gas or fuel oil company shall transmit
4327 all such donations received each month, as well as their own
4328 contributions, if any, to Operation Fuel, Incorporated, a state-wide
4329 nonprofit organization designed to respond to people within the state
4330 who are in financial crisis and need emergency energy assistance.
4331 Operation Fuel, Incorporated shall distribute donations to nonprofit
4332 social services agencies and private fuel banks in accordance with
4333 guidelines established by the board of directors of Operation Fuel,
4334 Incorporated, provided such funds shall be distributed on a priority

4335 basis to low-income elderly and working poor households that are not
4336 eligible for public assistance or state-administered general assistance
4337 but are faced with a financial crisis and are unable to make timely
4338 payments on winter fuel, electricity or gas bills. Such companies shall
4339 coordinate their promotions of this program, holding promotions
4340 during the same month and using similar formats.

4341 (b) If Operation Fuel, Inc. ceases to exist, such electric distribution
4342 and gas companies shall jointly establish a nonprofit, tax-exempt
4343 corporation for the purpose of holding in trust and distributing such
4344 customer donations. The board of directors of such corporation shall
4345 consist of eleven members appointed as follows: Four by the
4346 companies, each of which shall appoint one member; one by the
4347 president pro tempore of the Senate; one by the minority leader of the
4348 Senate; one by the speaker of the House of Representatives; one by the
4349 minority leader of the House of Representatives; and three by the
4350 Governor. The board shall distribute such funds to nonprofit
4351 organizations and social service agencies which provide emergency
4352 energy or fuel assistance. The board shall target available funding on a
4353 priority basis to low-income elderly and working poor households
4354 which are not eligible for public assistance or state-administered
4355 general assistance but are faced with a financial crisis and are unable to
4356 make timely payments on winter fuel, electricity or gas bills.

4357 (c) Not later than the first of September annually, Operation Fuel,
4358 Inc. shall submit to the General Assembly a report on the
4359 implementation of this section. Such report shall include, (1) a
4360 summary of the effectiveness of the program, (2) the total amount of
4361 the donations received by electric distribution and gas companies and
4362 transmitted to Operation Fuel, Inc. under subsection (b) of this section,
4363 and (3) an accounting of the distribution of such funds by Operation
4364 Fuel, Inc. indicating the organizations and agencies receiving funds,
4365 the amounts received and distributed by each such organization and
4366 agency and the number of households each assisted. On and after
4367 October 1, 1996, the report shall be submitted to the joint standing
4368 committee of the General Assembly having cognizance of matters

4369 relating to energy and, upon request, to any member of the General
4370 Assembly. A summary of the report shall be submitted to each
4371 member of the General Assembly if the summary is two pages or less
4372 and a notification of the report shall be submitted to each member if
4373 the summary is more than two pages. Submission shall be by mailing
4374 the report, summary or notification to the legislative address of each
4375 member of the committee or the General Assembly, as applicable.

4376 Sec. 108. Section 22a-66k of the general statutes is repealed and the
4377 following is substituted in lieu thereof (*Effective from passage*):

4378 (a) Each electric distribution company, as defined in section 16-1, as
4379 amended by this act, shall submit a utilities pesticide management
4380 plan to the Commissioner of Energy and Environmental Protection for
4381 approval with the concurrence of the Public Utilities Regulatory
4382 Authority. A plan shall be revised at such time as the electric
4383 distribution company filing the plan or the commissioner determines
4384 provided such plan shall be revised not less than once every five years.

4385 (b) Any electric distribution company, as defined in section 16-1, as
4386 amended by this act, telephone company, as defined in section 16-1, as
4387 amended by this act, or telecommunications company, as defined in
4388 section 16-1, as amended by this act, which provides for the
4389 application of a pesticide within a right-of-way maintained by such
4390 company shall ensure that owners, occupants or tenants of buildings
4391 or dwellings that are located on property which abuts such right-of-
4392 way, or property within which such right-of-way lies, are notified at
4393 least forty-eight hours prior to the application. Notice may be made by
4394 any method, including telephone, mail or personal notification. Any
4395 such company which provides for the application of pesticides in
4396 connection with removal of trees or brush from private property shall
4397 obtain the consent of the owner, occupant or tenant of such property
4398 prior to the application. Notwithstanding the provisions of section 23-
4399 65, any such company which provides for the application of pesticides
4400 to any utility pole, after it has been installed, for purposes of
4401 maintaining, preserving or extending the useful life of the pole shall

4402 post notice of such application on each such pole.

4403 (c) The commissioner shall adopt regulations in accordance with the
4404 provisions of chapter 54 setting forth the contents of a pesticide
4405 management plan. Such regulations shall include provisions for the
4406 on-site posting of a notice of a pesticide application. A notice required
4407 by such regulations may be posted at the time of or after the
4408 application, provided the time of such posting shall be sufficient to
4409 protect persons engaged in a lawful public recreational use of any
4410 unimproved real property in which such application is made.

4411 Sec. 109. Section 29-317 of the general statutes, as amended by
4412 section 7 of public act 09-177, sections 1 and 6 of public act 10-54,
4413 section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is
4414 repealed and the following is substituted in lieu thereof (*Effective*
4415 *January 1, 2015*):

4416 (a) The Commissioner of Administrative Services shall adopt
4417 regulations, in accordance with the provisions of chapter 54,
4418 prescribing reasonable minimum requirements for the installation of
4419 oil burners and equipment used in connection therewith, including
4420 tanks, piping, pumps, control devices and accessories. Such
4421 regulations shall be incorporated into the State Fire Prevention Code
4422 and shall include provisions for the prevention of injury to life and
4423 damage to property, and protection from hazards incident to the
4424 installation and operation of such oil burners and equipment.

4425 (b) No regulation made in accordance with this section shall apply
4426 to any [electric company,] gas company or electric distribution
4427 company, as such terms are defined in section 16-1, as amended by this
4428 act.

4429 Sec. 110. Section 29-320 of the general statutes is repealed and the
4430 following is substituted in lieu thereof (*Effective from passage*):

4431 The Commissioner of Administrative Services shall make and
4432 enforce, and may amend, reasonable regulations concerning the safe

4433 storage, use, transportation by any mode and transmission by pipeline
4434 of flammable or combustible liquids. In adopting such regulations,
4435 said commissioner may adopt by reference standards concerning
4436 flammable or combustible liquids as set forth by the National Fire
4437 Protection Association for the prevention of damage to property and
4438 injury to life, and protection from hazards incident to the storage, use,
4439 transportation by any mode and transmission by pipeline of such
4440 liquids. Such regulations shall not apply to [electric,] electric
4441 distribution and gas companies, as defined in section 16-1, as amended
4442 by this act.

4443 Sec. 111. Section 29-230 of the general statutes, as amended by
4444 section 8 of public act 09-177, sections 2 and 6 of public act 10-54,
4445 section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is
4446 repealed and the following is substituted in lieu thereof (*Effective*
4447 *January 1, 2015*):

4448 The Commissioner of Administrative Services shall adopt and may
4449 amend, reasonable regulations in accordance with the provisions of
4450 chapter 54, concerning the safe storage, use, transportation by any
4451 mode and transmission by pipeline of flammable or combustible
4452 liquids. Such regulations shall be incorporated into the State Fire
4453 Prevention Code and shall include provisions for the prevention of
4454 damage to property and injury to life, and protection from hazards
4455 incident to the storage, use, transportation by any mode and
4456 transmission by pipeline of such liquids. The commissioner shall
4457 enforce such regulations. Such regulations shall not apply to any
4458 [electric company,] electric distribution company or gas company, as
4459 such terms are defined in section 16-1, as amended by this act.

4460 Sec. 112. Section 29-329 of the general statutes, as amended by
4461 section 12 of public act 09-177, section 6 of public act 10-54 and sections
4462 3 and 4 of public act 12-60, is repealed and the following is substituted
4463 in lieu thereof (*Effective January 1, 2015*):

4464 (a) The State Fire Marshal shall adopt regulations, in accordance
4465 with the provisions of chapter 54, prescribing reasonable minimum

4466 requirements for the installation and operation of gas equipment and
4467 gas piping. Such regulations shall be incorporated into the State Fire
4468 Prevention Code and shall include provisions for the prevention of
4469 injury to life and damage to property and protection from hazards
4470 incident to the installation and operation of such gas equipment and
4471 piping.

4472 (b) No regulation adopted in accordance with this section shall
4473 apply to any [electric company,] gas company or electric distribution
4474 company, as such terms are defined in section 16-1, as amended by this
4475 act.

4476 Sec. 113. Section 29-331 of the general statutes is repealed and the
4477 following is substituted in lieu thereof (*Effective from passage*):

4478 The Commissioner of Administrative Services shall make
4479 reasonable regulations concerning the safe storage, use, transportation
4480 by any mode and transmission by pipeline of liquefied petroleum gas.
4481 Regulations concerning safe storage shall specify standards to ensure
4482 maximum security against unauthorized entry into storage areas
4483 where liquefied petroleum gas or liquefied natural gas is stored. In
4484 adopting such regulations, said commissioner may adopt by reference
4485 standards concerning liquefied petroleum gas as set forth by the
4486 National Fire Protection Association for the prevention of damage to
4487 property and injury to life, and protection from hazards incident to the
4488 storage, use, transportation by any mode and transmission by pipeline
4489 of such gas, with particular reference to the design, construction,
4490 location and operation of liquefied petroleum gas installations. Such
4491 regulations shall not apply to [electric,] electric distribution and gas
4492 companies, as defined in section 16-1, as amended by this act.

4493 Sec. 114. Section 29-331 of the general statutes, as amended by
4494 section 14 of public act 09-177, section 6 of public act 10-54, section 90
4495 of public act 11-51 and sections 3 and 4 of public act 12-60, is repealed
4496 and the following is substituted in lieu thereof (*Effective January 1,*
4497 *2015*):

4498 The Commissioner of Administrative Services shall adopt
4499 reasonable regulations, in accordance with the provisions of chapter
4500 54, concerning the safe storage, use, transportation by any mode and
4501 transmission by pipeline of liquefied petroleum gas. Regulations
4502 concerning safe storage shall specify standards to ensure maximum
4503 security against unauthorized entry into storage areas where liquefied
4504 petroleum gas or liquefied natural gas is stored. Such regulations shall
4505 be incorporated into the State Fire Prevention Code and shall include
4506 provisions for the prevention of damage to property and injury to life,
4507 and protection from hazards incident to the storage, use,
4508 transportation by any mode and transmission by pipeline of such gas,
4509 with particular reference to the design, construction, location and
4510 operation of liquefied petroleum gas installations. Such regulations
4511 shall not apply to any [electric company,] electric distribution
4512 company or gas company, as such terms are defined in section 16-1, as
4513 amended by this act.

4514 Sec. 115. Section 33-221 of the general statutes is repealed and the
4515 following is substituted in lieu thereof (*Effective from passage*):

4516 A cooperative shall have power, subject to the limitations of section
4517 33-219: (a) To sue and be sued in its corporate name; (b) to have
4518 perpetual existence; (c) to adopt a corporate seal and alter the same; (d)
4519 to generate, manufacture, purchase, acquire, accumulate and transmit
4520 electric energy, and to distribute, sell, supply and dispose of electric
4521 energy to its members, and to other persons not in excess of ten per
4522 cent of the number of its members pursuant to applicable federal law
4523 and regulations adopted thereunder, provided the furnishing by a
4524 cooperative of electric cold storage or processing plant service shall not
4525 be deemed to be distributing, selling, supplying or disposing of electric
4526 energy; (e) to assist persons to whom electric energy is or will be
4527 supplied by the cooperative in wiring their premises and in acquiring
4528 and installing electrical appliances, equipment, fixtures, apparatus and
4529 energy conservation and renewable energy systems and equipment, by
4530 the financing thereof or otherwise, and, in connection therewith, to
4531 wire, or cause to be wired, such premises and to purchase, acquire,

4532 lease as lessor or lessee, sell, distribute, install and repair such electric
4533 appliances, equipment, fixtures, apparatus and energy conservation
4534 and renewable energy systems and equipment; (f) to assist persons to
4535 whom electric energy is or will be supplied by the cooperative in
4536 constructing, equipping, maintaining and operating electric cold
4537 storage or processing plants, by the financing thereof or otherwise; (g)
4538 to construct, purchase, lease as lessee, or otherwise acquire, and to
4539 equip, maintain and operate, and to sell, assign, convey, lease as lessor,
4540 mortgage, pledge or otherwise dispose of or encumber, electric
4541 transmission and distribution lines or systems, electric generating
4542 plants, electric cold storage or processing plants, lands, buildings,
4543 structures, dams, plants and equipment, and any other real property or
4544 tangible or intangible personal property which shall be deemed
4545 necessary, convenient or appropriate to accomplish the purpose stated
4546 in section 33-219; (h) to borrow money and otherwise contract
4547 indebtedness, and to issue notes, bonds and other evidences of
4548 indebtedness, and to secure the payment thereof by mortgage, pledge
4549 or deed of trust of, or any other encumbrance upon, any or all of its
4550 then owned or after-acquired real or personal property, assets,
4551 franchises, revenues or income; (i) to construct, maintain and operate
4552 electric transmission and distribution lines along, upon, under and
4553 across publicly owned lands and public thoroughfares, including,
4554 without limitation, all roads, highways, streets, alleys, bridges and
4555 causeways, subject to the provisions of all laws regulating the use of
4556 highways by electric distribution companies, provided no standards in
4557 excess of standards provided in the National Electric Safety Code shall
4558 be required; (j) to exercise the power of eminent domain in the manner
4559 provided by the general statutes for the exercise of such power by
4560 other corporations constructing or operating electric transmission and
4561 distribution lines or systems; (k) to petition the Public Utilities
4562 Regulatory Authority to issue an order under section 16-243c, as
4563 amended by this act; (l) to conduct its business and exercise its powers
4564 within or without this state; (m) to adopt, amend and repeal bylaws;
4565 and (n) to do and perform any other acts and things, and to have and
4566 exercise any other powers, which may be necessary, convenient or

4567 appropriate to accomplish the purpose for which the cooperative is
4568 organized.

4569 Sec. 116. Subdivision (13) of subsection (a) of section 36a-250 of the
4570 general statutes is repealed and the following is substituted in lieu
4571 thereof (*Effective from passage*):

4572 (13) Act as agent (A) in the collection of taxes for any qualified
4573 treasurer of any taxing district or qualified collector of taxes, or (B) for
4574 any [electric,] electric distribution, gas, water or telephone company
4575 operating within this state in receiving moneys due that company for
4576 utility services furnished by it;

4577 Sec. 117. Subdivision (14) of subsection (a) of section 36a-455a of the
4578 general statutes is repealed and the following is substituted in lieu
4579 thereof (*Effective from passage*):

4580 (14) Act as agent (A) in the collection of taxes for any qualified
4581 treasurer of any taxing district or qualified collector of taxes, or (B) for
4582 any [electric,] electric distribution, gas, water or telephone company
4583 operating within this state in receiving moneys due such company for
4584 utility services furnished by it;

4585 Sec. 118. Section 49-4c of the general statutes is repealed and the
4586 following is substituted in lieu thereof (*Effective from passage*):

4587 Any mortgage entered into subsequent to July 1, 1986, between a
4588 private power producer, as defined in section 16-243b, or the owner or
4589 operator of a qualifying facility, as defined in Part 292 of Title 18 of the
4590 Code of Federal Regulations, or a guarantor of any of their respective
4591 obligations, as mortgagor, and an electric distribution company, as
4592 defined in section 16-1, as amended by this act, as mortgagee, shall be
4593 valid to secure all obligations then existing or thereafter arising of the
4594 mortgagor to the mortgagee under an electricity purchase agreement,
4595 including, without limitation, recovery of amounts paid to the private
4596 power producer or the owner or operator of a qualifying facility by the
4597 mortgagee in excess of the mortgagee's avoided costs as defined in

4598 section 16-243a, as amended by this act, and all other damages for
4599 failure to deliver electric energy or capacity or other breach of an
4600 electricity purchase agreement, including, without limitation, the net
4601 replacement cost of the capacity being secured by such mortgage,
4602 together with accrued interest, if any, as computed in accordance with
4603 the terms of the electricity purchase agreement or the mortgage, and
4604 under a guarantee of such obligations or obligations created by the
4605 mortgage, and shall have priority over the rights of others who shall
4606 acquire any rights in the property covered by such mortgage
4607 subsequent to the recording of the mortgage in the land records of the
4608 town in which the mortgaged property is situated provided: (1) The
4609 electricity purchase agreement is substantially in the form approved by
4610 the Public Utilities Regulatory Authority pursuant to section 16-243a,
4611 as amended by this act, and shall have been entered into by the
4612 mortgagor and mortgagee prior to or simultaneously with or
4613 subsequent to the execution and delivery of the mortgage, (2) the
4614 caption to the mortgage shall contain the words "Open-End Mortgage"
4615 and "Electricity Purchase Agreement", (3) the mortgage shall state that
4616 it is entered into to secure the mortgagor's obligations to the mortgagee
4617 under an electricity purchase agreement or under a guarantee of any
4618 electricity purchase agreement obligations and shall recite either the
4619 address of an office of the mortgagee or its assignee in the state at
4620 which a copy of the electricity purchase agreement is on file and may
4621 be inspected by the public during normal business hours or that the
4622 electricity purchase agreement has been recorded, as an exhibit to the
4623 mortgage or otherwise, on or before the date the mortgage is recorded,
4624 in the land records of the town in which the mortgaged property is
4625 situated, provided the electricity purchase agreement shall be so
4626 recorded, (4) the amount of the obligation from time to time secured by
4627 the mortgage may be determined or reasonably approximated on the
4628 basis of records maintained by the mortgagee or its assignee in the
4629 state, which records and an estimate of the amount claimed by the
4630 mortgagee to be secured are made available to the public with
4631 reasonable promptness upon written request, and (5) the mortgage
4632 states the maximum amount which it shall secure. Nothing in this

4633 section shall invalidate any mortgage which would be valid without
4634 this section. For purposes of this section, "electricity purchase
4635 agreement" means a contract or agreement to purchase and sell electric
4636 energy or capacity by and between a private power producer, as
4637 defined in section 16-243b, or the owner or operator of a qualifying
4638 facility, as defined in Part 292 of Title 18 of the Code of Federal
4639 Regulations, and an electric distribution company, as defined in
4640 section 16-1, as amended by this act.

4641 Sec. 119. Section 52-287 of the general statutes is repealed and the
4642 following is substituted in lieu thereof (*Effective from passage*):

4643 The fixtures of every [telegraph,] telephone or electric [light or
4644 power] distribution company, or association engaged in distributing
4645 electricity by wires or similar conductors, including its wires, posts,
4646 crossbars, lamps, switchboards, piers and abutments, may be attached
4647 in the same manner and with the same legal effect as real estate in civil
4648 actions, by the officer lodging in the office of the Secretary of the State
4649 a certificate that he has made such attachment, which shall be
4650 endorsed by said secretary with a note of the precise time of its
4651 reception, and kept on file, open to public inspection, in said office.
4652 Such attachment, if completed as hereinafter provided, shall be
4653 considered as made when such certificate is so lodged. The certificate
4654 shall be signed by such officer, shall describe the termini of the line or
4655 lines and the location of the switchboards attached, with reasonable
4656 certainty, and shall specify the parties to the suit, the court to which
4657 the process is returnable and the amount of damages claimed; and
4658 such officer shall, within four days thereafter, leave in the office of said
4659 secretary a certified copy of the process under which the attachment
4660 was made, with an endorsement of his doings thereon; and unless the
4661 service is so completed, the property shall not be held against any
4662 other creditor or bona fide purchaser.

4663 Sec. 120. Subsection (k) of section 16-243m of the 2014 supplement to
4664 the general statutes is repealed and the following is substituted in lieu
4665 thereof (*Effective from passage*):

4666 (k) The authority may order an electric distribution company to
4667 submit a proposal pursuant to the provisions of this section and may
4668 approve such a proposal under this section. Nothing in sections 16-1,
4669 as amended by this act, 16-32f, 16-50i, as amended by this act, 16-50k,
4670 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by this act,
4671 [16-244e,] 16-245d, 16-245m, as amended by this act, 16-245n, as
4672 amended by this act, and 16-245z and section 21 of public act 05-1 of
4673 the June special session shall limit the authority's ability to conduct
4674 requests for proposals, in addition to that in subsection (c) of this
4675 section, to reduce federally mandated congestion charges and to
4676 approve such proposals or otherwise to meet its responsibility under
4677 this title.

4678 Sec. 121. Subsection (a) of section 16-243p of the 2014 supplement to
4679 the general statutes is repealed and the following is substituted in lieu
4680 thereof (*Effective from passage*):

4681 (a) An electric distribution company may recover its costs and
4682 investments that have been prudently incurred as well as its revenues
4683 lost resulting from the provisions of sections 16-1, as amended by this
4684 act, 16-19ff, as amended by this act, 16-50k, 16-50x, 16-243h to 16-243q,
4685 inclusive, 16-244c, as amended by this act, [16-244e,] 16-244u, as
4686 amended by this act, 16-245d, 16-245m, as amended by this act, 16-
4687 245n, as amended by this act, 16-245z and 16-262i, as amended by this
4688 act, and section 21 of public act 05-1 of the June special session. The
4689 Public Utilities Regulatory Authority shall, after a hearing held
4690 pursuant to the provisions of chapter 54, determine the appropriate
4691 mechanism to obtain such recovery in a timely manner which
4692 mechanism may be one or more of the following: (1) Approval of rates
4693 as provided in sections 16-19, as amended by this act, and 16-19e, as
4694 amended by this act; (2) the energy adjustment clause as provided in
4695 section 16-19b, as amended by this act; or (3) the federally mandated
4696 congestion charges, as defined in section 16-1, as amended by this act.

4697 Sec. 122. Section 16-243r of the 2014 supplement to the general
4698 statutes is repealed and the following is substituted in lieu thereof

4699 (Effective from passage):

4700 The provisions of sections 7-233y, 16-1, as amended by this act, 16-
4701 32f, 16-50i, as amended by this act, 16-50k, 16-50x, 16-243i to 16-243q,
4702 inclusive, 16-244c, as amended by this act, [16-244e,] 16-245d, 16-245m,
4703 as amended by this act, 16-245n, as amended by this act, 16-245z and
4704 16-262i, as amended by this act, and section 21 of public act 05-1 of the
4705 June special session apply to new customer-side distributed resources
4706 and grid-side distributed resources developed in this state that add
4707 electric capacity on and after January 1, 2006, and shall also apply to
4708 customer-side distributed resources and grid-side distributed
4709 resources developed in this state before January 1, 2007, that (1) have
4710 undergone upgrades that increase the resource's thermal efficiency
4711 operating level by no fewer than ten percentage points or, for
4712 resources that have a thermal efficiency level of at least seventy per
4713 cent, have undergone upgrades that increase the resource's turbine
4714 heat rate by no fewer than five percentage points and increase the
4715 electrical output of the resource by no fewer than ten percentage
4716 points, (2) operate at a thermal efficiency level of at least fifty per cent,
4717 and (3) add electric capacity in this state on or after January 1, 2007,
4718 provided such measure is in accordance with the provisions of said
4719 sections 7-233y, 16-1, as amended by this act, 16-32f, 16-50i, as
4720 amended by this act, 16-50k, 16-50x, 16-243i to 16-243q, inclusive, 16-
4721 244c, as amended by this act, [16-244e,] 16-245d, 16-245m, as amended
4722 by this act, 16-245n, as amended by this act, 16-245z and 16-262i, as
4723 amended by this act, and section 21 of public act 05-1 of the June
4724 special session. On or before January 1, 2009, the Public Utilities
4725 Regulatory Authority, in consultation with the Office of Consumer
4726 Counsel, shall report to the joint standing committee of the General
4727 Assembly having cognizance of matters relating to energy regarding
4728 the cost-effectiveness of programs pursuant to this section.

4729 Sec. 123. Subsection (a) of section 16-244v of the 2014 supplement to
4730 the general statutes is repealed and the following is substituted in lieu
4731 thereof (Effective from passage):

4732 (a) [Notwithstanding subsection (a) of section 16-244e, an] An
4733 electric distribution company, or owner or developer of generation
4734 projects that emit no pollutants, may submit a proposal to the
4735 Department of Energy and Environmental Protection to build, own or
4736 operate one or more generation facilities up to an aggregate of thirty
4737 megawatts using Class I renewable energy sources as defined in
4738 section 16-1, as amended by this act, from July 1, 2011, to July 1, 2013.
4739 Each facility shall be greater than one megawatt but not more than five
4740 megawatts. Each electric distribution company may enter into joint
4741 ownership agreements, partnerships or other agreements with private
4742 developers to carry out the provisions of this section. The aggregate
4743 ownership for an electric distribution company pursuant to this section
4744 shall not exceed ten megawatts. The department shall evaluate such
4745 proposals pursuant to sections 16-19, as amended by this act, and 16-
4746 19e, as amended by this act, and may approve one or more of such
4747 proposals if it finds that the proposal serves the long-term interest of
4748 ratepayers. The department (1) shall not approve any proposal
4749 supported in any form of cross subsidization by entities affiliated with
4750 the electric distribution company, and (2) shall give preference to
4751 proposals that make efficient use of existing sites and supply
4752 infrastructure. No such company may, under any circumstances,
4753 recover more than the full costs identified in a proposal, as approved
4754 by the department. Nothing in this section shall preclude the resale or
4755 other disposition of energy or associated renewable energy credits
4756 purchased by the electric distribution company, provided the
4757 distribution company shall net the cost of payments made to projects
4758 under the long-term contracts against the proceeds of the sale of
4759 energy or renewable energy credits and the difference shall be credited
4760 or charged to distribution customers through a reconciling component
4761 of electric rates as determined by the authority that is nonbypassable
4762 when switching electric suppliers.

4763 Sec. 124. Section 16-43d of the general statutes is repealed and the
4764 following is substituted in lieu thereof (*Effective from passage*):

4765 If any existing electric generation plant within the state is offered for

4766 sale, the Public Utilities Regulatory Authority shall authorize the
4767 electric distribution companies to purchase and operate such plants if
4768 the authority, through a contested case proceeding, determines that
4769 such purchase and operation is in the public interest, provided any
4770 acquisition plan shall include provisions for payment of property taxes
4771 on the value of the purchased plant and provisions for employee
4772 protections. [consistent with subdivision (3) of subsection (b) of section
4773 16-244f.] An electric distribution company purchasing such generation
4774 plants shall be entitled to recover the costs of such purchase in an
4775 annual retail generation rate contested case consistent with the
4776 principles set forth in sections 16-19, 16-19b and 16-19e, as amended by
4777 this act, provided the return on equity associated with such purchase
4778 and operation shall be established in said contested case proceeding
4779 and updated at least once every four years. The authority shall review
4780 and approve the cost recovery provisions in the proceeding to
4781 determine that such purchase and operation are in the public interest.

4782 Sec. 125. Section 25-157 of the general statutes is repealed and the
4783 following is substituted in lieu thereof (*Effective from passage*):

4784 Notwithstanding any other provision of the general statutes, no
4785 state agency, including, but not limited to, the Department of Energy
4786 and Environmental Protection and the Connecticut Siting Council
4787 within said department, shall consider or render a final decision for
4788 any applications relating to electric power line crossings, gas pipeline
4789 crossings or telecommunications crossings of Long Island Sound that
4790 have required or will require a certificate issued pursuant to section
4791 16-50k or approval by the Federal Energy Regulatory Commission
4792 including, but not limited to, electrical power line, gas pipeline or
4793 telecommunications applications that are pending or received after
4794 June 3, 2002, for a period of three years after June 3, 2002. Such
4795 moratorium shall not apply to applications relating solely to the
4796 maintenance, repair or replacement necessary for repair of electrical
4797 power lines, gas pipelines or telecommunications facilities currently
4798 used to provide service to customers located on islands or peninsulas
4799 off the Connecticut coast or harbors, embayments, tidal rivers, streams

4800 or creeks. An applicant may seek a waiver of such moratorium by
4801 submitting a petition to the following: The chairpersons and ranking
4802 members of the joint standing committees of the General Assembly
4803 having cognizance of matters relating to energy and the environment,
4804 the chairman of the Connecticut Siting Council, the Commissioner of
4805 Energy and Environmental Protection, and any other state agency
4806 head with jurisdiction over the subject of the petition. Such persons
4807 may grant a petition for a waiver by unanimous consent. Nothing in
4808 [section 16-244j,] this section or sections 25-157a to 25-157c, inclusive,
4809 as amended by this act, shall be construed to affect the project in the
4810 corridor across Long Island Sound, from Norwalk to Northport, New
4811 York, to replace the existing electric cables that cross the sound.

4812 Sec. 126. Section 25-157c of the general statutes is repealed and the
4813 following is substituted in lieu thereof (*Effective from passage*):

4814 Notwithstanding any provision of the general statutes, the
4815 Connecticut Siting Council, within fifteen days of June 3, 2002, shall
4816 submit the state's advisory opinion to the Federal Energy Regulatory
4817 Commission requesting that, on behalf of the state, the Federal Energy
4818 Regulatory Commission not approve any new individual electric
4819 power line crossing, gas pipeline crossing or telecommunications
4820 crossing until the comprehensive environmental assessment and plan
4821 described in section 25-157a is completed and that the Federal Energy
4822 Regulatory Commission avoid environmental damage to Long Island
4823 Sound to the greatest extent possible when licensing any future project
4824 by considering the recommendations contained in the comprehensive
4825 environmental assessment and plan described in section 25-157a.
4826 Notwithstanding the provisions of sections [16-244j and] 25-157 to 25-
4827 157b, inclusive, as amended by this act, and this section, if the Federal
4828 Energy Regulatory Commission proceeds with consideration of any
4829 such project, regardless of the Siting Council's request, the Connecticut
4830 Siting Council and any other state agency with jurisdiction over such
4831 project shall review such proposed project and recommend siting,
4832 construction procedures and environmental mitigation measures to the
4833 Federal Energy Regulatory Commission for such project that conform

4834 with the comprehensive environmental assessment and plan described
4835 in section 25-157a, to the degree such assessment and plan information
4836 is available.

4837 Sec. 127. Section 16-228 of the 2014 supplement to the general
4838 statutes is repealed and the following is substituted in lieu thereof
4839 (*Effective from passage*):

4840 Subject to the restrictions of sections 16-18 [,] and 16-248, [16-249
4841 and 16-250,] each telephone company may construct and maintain
4842 telephone lines, upon any highway or across any waters in this state,
4843 by the erection and maintenance of the necessary fixtures, including
4844 posts, piers or abutments, for sustaining wires; but the same shall not
4845 be so constructed as to incommode public travel or navigation or
4846 injure any tree without the consent of the owner, nor shall such
4847 company construct any bridge across any waters. Such lines shall be
4848 personal property.

4849 Sec. 128. Subsection (a) of section 16-247c of the general statutes is
4850 repealed and the following is substituted in lieu thereof (*Effective from*
4851 *passage*):

4852 (a) No person shall provide intrastate telecommunications services,
4853 except for private telecommunications service, commercial mobile
4854 telecommunications service to the extent regulated by the federal
4855 government and any service authorized under [section 16-250a or] a
4856 joint or shared user tariff approved by the Public Utilities Regulatory
4857 Authority, unless the person (1) offered, promoted and provided
4858 intrastate telecommunications services on or before January 1, 1984,
4859 pursuant to a special charter or certificate of public convenience and
4860 necessity, or (2) is certified to provide intrastate telecommunications
4861 services by the Public Utilities Regulatory Authority pursuant to
4862 sections 16-247f to 16-247h, inclusive.

4863 Sec. 129. Subsection (b) of section 4a-1a of the 2014 supplement to
4864 the general statutes is repealed and the following is substituted in lieu
4865 thereof (*Effective from passage*):

4866 (b) (1) Wherever the term "Commissioner of Construction Services"
 4867 is used in the following sections of the general statutes, the term
 4868 "Commissioner of Administrative Services" shall be substituted in lieu
 4869 thereof; and (2) wherever the term "Department of Construction
 4870 Services" is used in the following sections of the general statutes, the
 4871 term "Department of Administrative Services" shall be substituted in
 4872 lieu thereof: 3-20, 3-21d, 4-61, 4-89, 4b-1, 4b-1a, 4b-16, 4b-22a, 4b-24b,
 4873 4b-51, 4b-51a, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-60, 4b-63, 4b-70, 4b-
 4874 91, 4b-100, 4b-100a, 4b-102, 4b-103, 4b-133, 4b-134, 5-198, 7-323p, 10-
 4875 220, 10-282, 10-283, 10-283b, 10-284, 10-285d, 10-285e, 10-285g, 10-286,
 4876 10-286d, 10-286e, 10-286g, 10-286h, 10-287, 10-287c, 10-287d, 10-287i,
 4877 10-289h, 10-290a, 10-290b, 10-290e, 10-290f, 10-291, 10-291a, 10-292q,
 4878 10a-90, 10a-91, 10a-91c, 10a-91d, 10a-109ff, 13b-20n, 15-120qq, [16a-
 4879 37v,] 16a-38, 16a-38a, 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38k, 16a-
 4880 38l, 16a-39, 17a-27, 17a-27d, 17a-154, 17a-451b, 17b-739, 20-330, 21a-86f,
 4881 22-64, 22a-6, 22a-12, 22a-439a, 22a-459, 26-3, 27-45, 27-131, 29-109, 29-
 4882 117, 29-127, 29-191, 29-192, 29-199, 29-200, 29-204, 29-221, 29-222, 29-
 4883 224b, 29-234, 29-235, 29-236, 29-237, 29-238, 29-239, 29-240, 29-244, 29-
 4884 250, 29-251, 29-251a, 29-251b, 29-251c, 29-252, 29-252a, 29-254b, 29-256,
 4885 29-256a, 29-256b, 29-258, 29-261, 29-262, 29-262a, 29-263, 29-269a, 29-
 4886 291, 29-298a, 29-313, 29-315, 29-315c, 29-317, as amended by this act,
 4887 29-319, 29-320, as amended by this act, 29-321, 29-325, 29-331, as
 4888 amended by this act, 29-333, 29-337, 29-338, 29-344, 29-345, 29-346, 29-
 4889 349, 29-355, 29-359, 29-367, 29-401, 29-402, 29-403, 31-57, 32-612, 32-613,
 4890 32-655a, 32-656 and 49-41b.

4891 Sec. 130. Subdivision (2) of subsection (a) of section 16-245m and
 4892 sections 16-243s, 16-244f, 16-244j, 16-245v, 16-246a, 16-247o, 16-249 to
 4893 16-250a, inclusive, 16-258c and 16-281a of the general statutes are
 4894 repealed. (*Effective from passage*)

| | | |
|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 16-1(a) |
| Sec. 2 | <i>from passage</i> | New section |
| Sec. 3 | <i>from passage</i> | 16-10a(a) |

| | | |
|---------|---------------------|---------------|
| Sec. 4 | <i>from passage</i> | 16-252 |
| Sec. 5 | <i>from passage</i> | 16-265 |
| Sec. 6 | <i>from passage</i> | 52-557o |
| Sec. 7 | <i>from passage</i> | 16-19dd |
| Sec. 8 | <i>from passage</i> | 16-50j(h) |
| Sec. 9 | <i>from passage</i> | 16-243n |
| Sec. 10 | <i>from passage</i> | 16-244b |
| Sec. 11 | <i>from passage</i> | 16-244c(e) |
| Sec. 12 | <i>from passage</i> | 16-244u(e) |
| Sec. 13 | <i>from passage</i> | 16-245a(g) |
| Sec. 14 | <i>from passage</i> | 16-245m(a)(1) |
| Sec. 15 | <i>from passage</i> | 16-245n(b) |
| Sec. 16 | <i>from passage</i> | 16-245ff(b) |
| Sec. 17 | <i>from passage</i> | 16-262y(c) |
| Sec. 18 | <i>from passage</i> | 16a-3(a) |
| Sec. 19 | <i>from passage</i> | 16a-3e |
| Sec. 20 | <i>from passage</i> | 16a-40m(c) |
| Sec. 21 | <i>from passage</i> | 12-81(57) |
| Sec. 22 | <i>from passage</i> | 12-268s(e) |
| Sec. 23 | <i>from passage</i> | 13a-126c |
| Sec. 24 | <i>from passage</i> | 16a-51(a) |
| Sec. 25 | <i>from passage</i> | 8-133a |
| Sec. 26 | <i>from passage</i> | 8-194 |
| Sec. 27 | <i>from passage</i> | 8-395(a) |
| Sec. 28 | <i>from passage</i> | 12-80 |
| Sec. 29 | <i>from passage</i> | 13a-127 |
| Sec. 30 | <i>from passage</i> | 16-32 |
| Sec. 31 | <i>from passage</i> | 16-237 |
| Sec. 32 | <i>from passage</i> | 16-238 |
| Sec. 33 | <i>from passage</i> | 16-345(c) |
| Sec. 34 | <i>from passage</i> | 22a-470 |
| Sec. 35 | <i>from passage</i> | 29-19(a) |
| Sec. 36 | <i>from passage</i> | 31-16 |
| Sec. 37 | <i>from passage</i> | 32-224(g) |
| Sec. 38 | <i>from passage</i> | 33-645(b) |
| Sec. 39 | <i>from passage</i> | 33-920(a) |
| Sec. 40 | <i>from passage</i> | 33-1035(b) |
| Sec. 41 | <i>from passage</i> | 33-1210(a) |
| Sec. 42 | <i>from passage</i> | 34-119(d) |
| Sec. 43 | <i>from passage</i> | 52-380b |
| Sec. 44 | <i>from passage</i> | 8-37jj(b) |

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| Sec. 45 | <i>from passage</i> | 9-601a(b)(13) |
| Sec. 46 | <i>from passage</i> | 12-213(a)(20)(A) |
| Sec. 47 | <i>from passage</i> | 12-265(b) |
| Sec. 48 | <i>from passage</i> | 16-8(b)(4) |
| Sec. 49 | <i>from passage</i> | 16-11a(a) |
| Sec. 50 | <i>from passage</i> | 16-19(a) |
| Sec. 51 | <i>from passage</i> | 16-19a |
| Sec. 52 | <i>from passage</i> | 16-19b(c) |
| Sec. 53 | <i>from passage</i> | 16-19b(e) |
| Sec. 54 | <i>from passage</i> | 16-19b(j) to (l) |
| Sec. 55 | <i>from passage</i> | 16-19d(b) |
| Sec. 56 | <i>from passage</i> | 16-19d(f) |
| Sec. 57 | <i>from passage</i> | 16-19e(b) to (d) |
| Sec. 58 | <i>from passage</i> | 16-19bb |
| Sec. 59 | <i>from passage</i> | 16-19ee |
| Sec. 60 | <i>from passage</i> | 16-19ff(a) |
| Sec. 61 | <i>from passage</i> | 16-19hh(b) |
| Sec. 62 | <i>from passage</i> | 16-19kk(a) and (b) |
| Sec. 63 | <i>from passage</i> | 16-19oo |
| Sec. 64 | <i>from passage</i> | 16-19rr |
| Sec. 65 | <i>from passage</i> | 16-19uu |
| Sec. 66 | <i>from passage</i> | 16-32c(a) |
| Sec. 67 | <i>from passage</i> | 16-32g |
| Sec. 68 | <i>from passage</i> | 16-32h(d)(7) |
| Sec. 69 | <i>from passage</i> | 16-47 |
| Sec. 70 | <i>from passage</i> | 16-50i(f) |
| Sec. 71 | <i>from passage</i> | 16-50l(b) |
| Sec. 72 | <i>from passage</i> | 16-232 |
| Sec. 73 | <i>from passage</i> | 16-234(a) |
| Sec. 74 | <i>from passage</i> | 16-243a(f) |
| Sec. 75 | <i>from passage</i> | 16-243c |
| Sec. 76 | <i>from passage</i> | 16-243e |
| Sec. 77 | <i>from passage</i> | 16-243g |
| Sec. 78 | <i>from passage</i> | 16-243z |
| Sec. 79 | <i>January 1, 2015</i> | 16-243z |
| Sec. 80 | <i>from passage</i> | 16-243aa |
| Sec. 81 | <i>from passage</i> | 16-244e |
| Sec. 82 | <i>from passage</i> | 16-244g(a) |
| Sec. 83 | <i>from passage</i> | 16-244h(b) |
| Sec. 84 | <i>from passage</i> | 16-245e |
| Sec. 85 | <i>from passage</i> | 16-245f(a) |

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| Sec. 86 | <i>from passage</i> | 16-245g |
| Sec. 87 | <i>from passage</i> | 16-245h |
| Sec. 88 | <i>from passage</i> | 16-245i(a) and (b) |
| Sec. 89 | <i>from passage</i> | 16-245j(a) to (c) |
| Sec. 90 | <i>from passage</i> | 16-245k |
| Sec. 91 | <i>from passage</i> | 16-245o(a) to (d) |
| Sec. 92 | <i>from passage</i> | 16-245p(a) |
| Sec. 93 | <i>from passage</i> | 16-245y(a) |
| Sec. 94 | <i>from passage</i> | 16-245ii |
| Sec. 95 | <i>from passage</i> | 16-245jj |
| Sec. 96 | <i>from passage</i> | 16-246e(a) |
| Sec. 97 | <i>from passage</i> | 16-246f |
| Sec. 98 | <i>from passage</i> | 16-259a(a) to (c) |
| Sec. 99 | <i>from passage</i> | 16-261 |
| Sec. 100 | <i>from passage</i> | 16-262c |
| Sec. 101 | <i>from passage</i> | 16-262d(a) |
| Sec. 102 | <i>from passage</i> | 16-262e(a) |
| Sec. 103 | <i>from passage</i> | 16-262f(a) |
| Sec. 104 | <i>from passage</i> | 16-262i(b) |
| Sec. 105 | <i>from passage</i> | 16a-37f |
| Sec. 106 | <i>from passage</i> | 16a-40b(e) and (f) |
| Sec. 107 | <i>from passage</i> | 16a-41h |
| Sec. 108 | <i>from passage</i> | 22a-66k |
| Sec. 109 | <i>January 1, 2015</i> | 29-317 |
| Sec. 110 | <i>from passage</i> | 29-320 |
| Sec. 111 | <i>January 1, 2015</i> | 29-230 |
| Sec. 112 | <i>January 1, 2015</i> | 29-329 |
| Sec. 113 | <i>from passage</i> | 29-331 |
| Sec. 114 | <i>January 1, 2015</i> | 29-331 |
| Sec. 115 | <i>from passage</i> | 33-221 |
| Sec. 116 | <i>from passage</i> | 36a-250(a)(13) |
| Sec. 117 | <i>from passage</i> | 36a-455a(a)(14) |
| Sec. 118 | <i>from passage</i> | 49-4c |
| Sec. 119 | <i>from passage</i> | 52-287 |
| Sec. 120 | <i>from passage</i> | 16-243m(k) |
| Sec. 121 | <i>from passage</i> | 16-243p(a) |
| Sec. 122 | <i>from passage</i> | 16-243r |
| Sec. 123 | <i>from passage</i> | 16-244v(a) |
| Sec. 124 | <i>from passage</i> | 16-43d |
| Sec. 125 | <i>from passage</i> | 25-157 |
| Sec. 126 | <i>from passage</i> | 25-157c |

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| Sec. 127 | <i>from passage</i> | 16-228 |
| Sec. 128 | <i>from passage</i> | 16-247c(a) |
| Sec. 129 | <i>from passage</i> | 4a-1a(b) |
| Sec. 130 | <i>from passage</i> | Repealer section |

Statement of Legislative Commissioners:

In section 69(h), "electric" was deleted for internal consistency.

ET *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill (1) allows certain electric customers to share a billing credit they receive when they generate power using renewable energy technologies; (2) eliminates a statutory requirement that electric companies separately identify the charge for generation services on their customers' bills; (3) exempts entities that submeter from laws and regulations that apply to electric companies; and (4) makes numerous technical changes. These changes have no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5115*****AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO AND REPEAL OF OBSOLETE PROVISIONS OF ENERGY AND TECHNOLOGY STATUTES.*****SUMMARY:**

This bill makes a minor change in the law governing virtual net metering, which allows certain electric customers to share a billing credit they receive when they generate power using renewable energy technologies.

It eliminates a statutory requirement that electric companies separately identify the charge for generation services on their customers' bills (there is a similar but more limited requirement in Public Utility Regulatory Authority regulations). It also explicitly exempts entities that submeter (e.g., a campground that measures electric use at individual campsites) from the laws and regulations that apply to electric companies.

Finally, the bill makes numerous technical changes to the energy and public utility statutes that, among other things, eliminate obsolete provisions (e.g., those regulating telegraph companies) and correct statutory references.

EFFECTIVE DATE: Upon passage, except for technical changes regarding geographical information systems (§ 79), installation of oil burners and related equipment (§ 109), pipeline safety (§ 111), installation of gas equipment and piping (§ 112), and storage of liquefied petroleum gas (propane) (§ 114), which are effective January 1, 2015.

VIRTUAL NET METERING

By law, municipal, state agency, and agricultural electric customers that install specified renewable generation systems (“hosts”) are eligible to receive a billing credit for power they generate and provide to the grid. The customers can share this credit with certain other customers (“beneficial accounts”). The total amount of the credits is capped at \$10 million, and each of the three categories of hosts is limited to 40% of this amount. The bill specifies that the 40% limit also applies to the beneficial accounts of these three categories of hosts.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 23 Nay 0 (03/18/2014)